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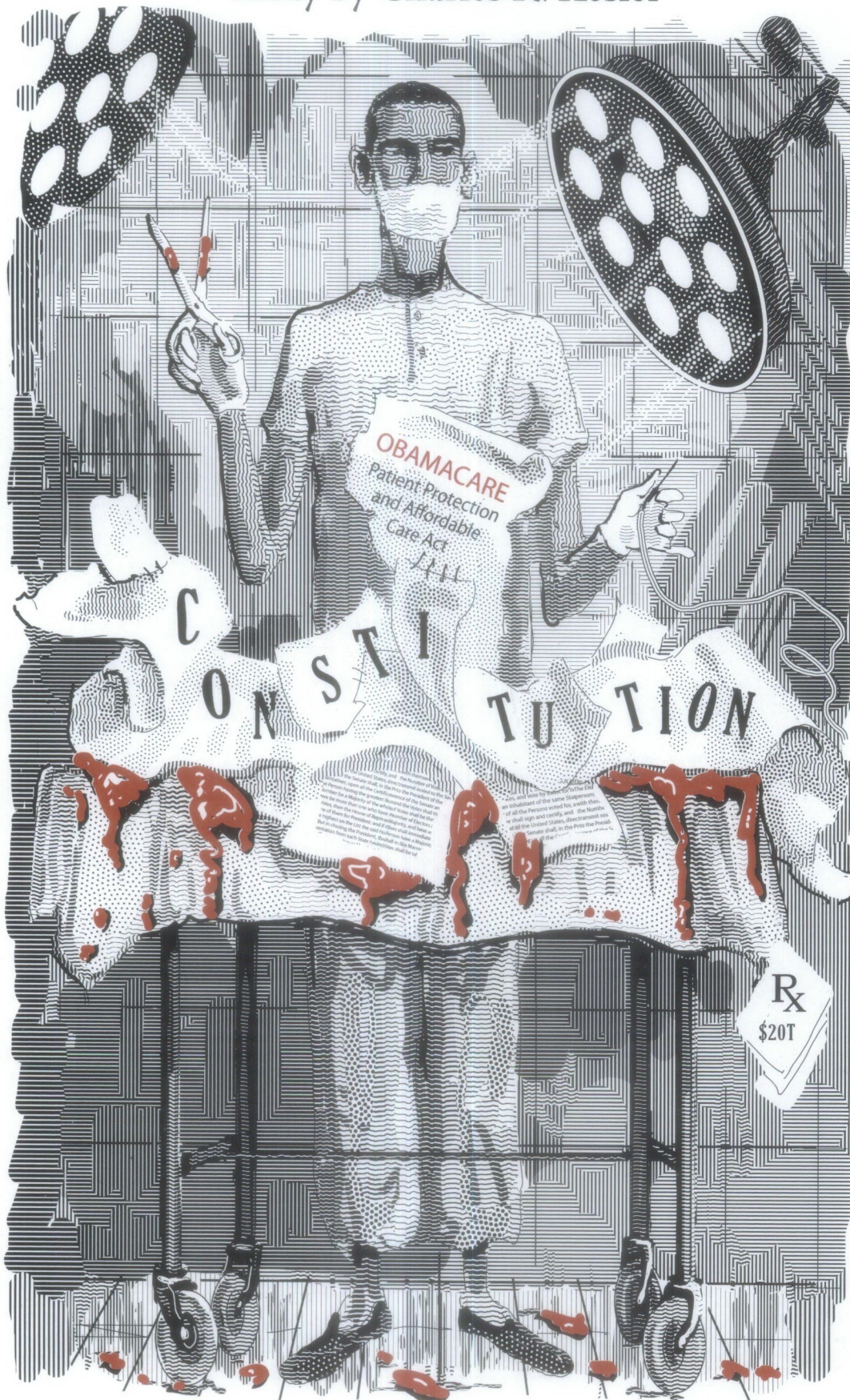
CLAREMONT

REVIEW OF BOOKS

A Journal of Political Thought and Statesmanship

MALPRACTICE!

Essay by Charles R. Kesler



Steven F.
Hayward:
Peter Beinart's
Hubris

Mary
Eberstadt:
Women
at Work

John
Davidson:
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Medieval
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Paul Ryan's
Roadmap

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In Praise of
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Martha
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Sex,
American Style

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FROM THE EDITOR'S DESK

DID WE WIN?

by Charles R. Kesler

ONE OF THE LAST AMERICAN COMBAT SOLDIERS TO LEAVE IRAQ EX-claimed, according to the *New York Times*: "We won! It's over! America, we brought democracy to Iraq!"

It's easy to understand his giddiness as he exited Iraq for Kuwait and soon America. Over here the reaction to the end of our "official" combat role has been more muted. For one thing, 50,000 American troops remain to assist the Iraqis and conduct counterterrorism operations, and everyone understands that if necessary they could be committed to combat again, too. These forces are supposed to pull out by the end of next year, but the deadline could be extended if the Iraqis ask for it and President Obama agrees.

The other reason why there are no ticker-tape parades for our returning heroes is that, though they did everything they were asked to do and more, it's clear that what they were asked to do did not amount to winning. Obama himself never speaks of "victory" but of "responsibly ending this war." In the long line of American war aims, this has got to rank near the bottom, far below President Nixon's "peace with honor" in Vietnam. Obama does not even ask for peace, which is clever because he knows Iraq is not at peace, at least if we accept Thomas Hobbes's famous definition. "For as the nature of foul weather lieth not in a shower or two of rain, but in an inclination thereto of many days together," Hobbes wrote, "so the nature of war consisteth not in actual fighting, but in the known disposition thereto during all the time there is no assurance to the contrary. All other time is peace." Iraq suffers from a "known disposition" to war among its own parts—they slaughtered one another lustily as recently as three years ago—even if civil war is not raging now. And with Iran waxing nuclear and the whole region in dread of its growing power—and with Iran's geopolitical interest lying in a weak, divided Iraq or a united one under Iran's thumb—the "known disposition" to regional war is high, too.

Perhaps, though, Obama meant he would responsibly end *our* war, America's combat in Iraq, even if *their* war or wars continued. But then our war and the Iraqis' war have been mixed up from the beginning, at least from the moment when President George W. Bush agreed to let the invasion of Iraq deliquesce into the occupation of Iraq. This was not our

strategic intent going in; it *happened*, in a way that did not do credit to Bush and his administration. Our forces and coalition allies toppled Saddam Hussein and his Baathist regime, grand and honorable achievements that soon got left behind—as Angelo Codevilla and Mark Helprin argued brilliantly in these pages—in a "mission creep" that made democratization of Iraq more and more the central goal of American policy. It's unclear whether democratization begat occupation, or the other way round; maybe the ideas were two sides of the same coin. But seven years later, longer than our involvement in World Wars I and II combined, we are still there and, for reasons good and bad, likely to be around in some capacity for years to come—unless Obama is desperate to shore up his left come late 2011.

PRESIDENT BUSH DESERVES CREDIT FOR THE SURGE, WHICH INTERRUPTED the civil war between Shia and Sunni and helped pull Iraq back from the brink. But the fact is the Sunni had already lost. Baghdad is now overwhelmingly a Shia city, and according to the *Financial Times*, more than one in six Iraqis remain refugees. The surge helped quell al-Qaeda, to be sure. But the Sunni had already begun to turn against their erstwhile partners, because a little fanaticism goes a long way and al-Qaeda's misadventures had helped ignite the Shia militias against the Sunni.

Even Bush regarded the surge as a means to an end. That end was a stable, democratic Iraq. Almost six months after their last general election, the Iraqis have not been able to form a government. The two Shia parties are reluctant to keep house with the so-called secular coalition led by former prime minister Ayad Allawi, a one-time Baathist backed by most of the Sunni voters. In an interview with *Der Spiegel*, Allawi admitted, "We have not yet transitioned to democracy.... We have reached a point now where nobody trusts anybody and where the future of the country and the entire region is at stake."

In case of an unfortunate conflict of the adjectives, Iraqis themselves would doubtless prefer a stable Iraq to a democratic one, so long as stability did not imply abject tyranny. In Iraq democracy, like victory, may prove elusive.

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CORRESPONDENCE

TEA PARTY VS. GRAND OLD PARTY

William Voegeli's essay on "The Meaning of the Tea Party" is the best analysis out there to date (Spring 2010). But although he does a superb job explaining the dissatisfaction with President Obama's empty promises, he might have said more about the part Republican leaders, including George W. Bush, Dennis Hastert, and Bill Frist, played in the Tea Party's creation. Over the past decade, neither party could be trusted to restrain government overreach and reassert constitutional limits. Unlike the Bush Republicans and the Obama Democrats, the Tea Party stands for limited government

Darrell Franklin
Valparaiso, IN

William Voegeli replies:

Mr. Franklin pays a generous compliment, and makes an important point: the Tea Party fuse detonated after November 2008, when Democrats took charge of everything, but only after burning while Republicans held sway at one or both ends of Pennsylvania Avenue.

I think the fuse was lit even earlier than Franklin does, with the recriminations and drift that beset Republicans in the years following the astounding 1994 election. Conservatives had hoped that the first Republican House majority since 1954, led by vocal critics of Big Government, would finally take long strides toward the goal Ronald Reagan announced in 1981, to "curb the size and influence of the Federal establishment." Like Reagan, however, all the Gingrich Republicans wound up curbing was the growth rate of the federal government. The moment of maximum conservative despair came in the final days of fiscal year 2005, which saw \$2.47 trillion in federal government out-

lays, when Tom DeLay asserted that there was nothing further left to cut because "after 11 years of Republican majority we've pared it down pretty good."

Representative Mike Pence (R-IN) agrees with Mr. Franklin that one Tea Party motive is the belief that Republicans "walked away from the principles and practices of limited government and fiscal responsibility." If the entire corrective for that dereliction consists of Republicans rediscovering the courage of their convictions, then the challenge before the Tea Party won't be easy but will be simple.

If the meager results of the Gingrich revolution and President Bush's compassionate conservatism have causes beyond a lack of nerve, however, then limited government fundamentalism will prove to be a necessary but not a sufficient condition for the Tea Party to succeed in reshaping American politics. There are reasons to believe this latter account of how the GOP lost its way after 1994. Republicans found then, as Ronald Reagan did in the 1980s, that Americans are opposed to Big Government, but only at a high level of abstraction. Translating those generalities into specific program cuts that are popular, or even tolerated, is the hard part. A recent *New York Times* poll found that 76% of all respondents expressed agreement with the idea that "the benefits from government programs such as Social Security and Medicare are worth the costs of those programs." The clearest indication of how difficult it will be to accomplish what Reagan, Gingrich, and Bush could or would not is that even among the 18% in the survey who identify as Tea Party supporters, 62% believe Social Security and Medicare are examples of the government spending money beneficially.

On what basis can conservatives keep hope alive? Here are two reasons, which don't guarantee elusive victories against Big Government, but suggest the pursuit is not doomed: 1) The emergence

of Republican leaders like Governors Mitch Daniels of Indiana and Chris Christie of New Jersey who treat fiscal restraint not as one of the things they would like to accomplish, but as The Thing they are determined to accomplish. Their political successes are even more important than their policy accomplishments. Daniels and Christie speak as adults to adults when discussing taxes and spending with their constituents, and there is abundant evidence that those constituents respond favorably to politicians who acquit themselves with that kind of respect and candor. 2) Federal budget deficits, of unprecedented size and duration, have concentrated the public's mind. (I discuss them elsewhere in this issue.) America as a whole faces non-negotiable fiscal limits like the ones that have come to dominate politics in cash-strapped states. Even as Daniels and Christie did not let their states' fiscal crises go to waste, national politicians can propose and effect measures that preserve federal solvency with spending reductions that, in Mr. Franklin's words, "restrain government overreach and reassert constitutional limits."

HISTORICAL PERSPECTIVE

You can't win in this scholarly game. In his review of my book, *Empire of Liberty*, Richard Samuelson says that "society and culture are in the driver's seat; politics is along for the ride." All other critics of the book have accused me of the opposite: of emphasizing politics and political ideas at the expense of society and culture, saying, as Mark Noll did, that I make political ideology "the driving force...for explaining social change."

Despite Samuelson's garbled prose, where the sentences don't always follow logically one upon the other, I get where he is coming from. He believes that history, as

he says, is "the study of great statesmanship" and "philosophy teaching by example," and I don't. He seems to think that if our current political leaders read *Plutarch's Lives* or the papers of Alexander Hamilton or James Madison they would know better what to do. I wish it were that easy.

He's right in claiming that I am confident that I and other historians of the period understand things better than people living in that period did. Not that we know certain intimate details of their lives: what Washington said to Martha on arising in the morning, or what Madison said to Dolley on their wedding night—these sorts of details we will never know. But we do know much more than they did about the big things because we know how they turned out. It's called historical perspective, and Samuelson mocks it.

He also mocks my use of the term "the historical process," not realizing that the term is a shorthand for the actions of millions of people that created consequences that few of them intended or even foresaw. Does Samuelson believe that when we today use the term "markets" we are referring to the actions of just a few shrewd speculators in New York and London? There are people who do believe that, but they are not very knowledgeable about the world or the historical process.

I don't deny the founders' greatness: they created ideals and institutions by which we still govern ourselves; but they were not superhuman. They didn't know their future any more than we know ours. They lived with many illusions. But lest we become arrogant and condescending toward them, we should acknowledge that we too live with illusions, only we don't know what they are. History in fact is a record of exploded illusions. The only lesson it teaches is humility.

Gordon S. Wood
Brown University
Providence, RI



Richard Samuelson replies:

Wood does not complain that I misunderstand or mischaracterize his book, but suggests that we disagree about the nature of history. That's a fair reading, up to a point. I do not believe history is only "the study of great statesmanship" or that it is "philosophy teaching by example." I only say that Gordon Wood does not practice that kind of history, and that he thinks it wrongheaded. His letter confirms this.

The key question between us might have to do with humility. At the end of his letter, Wood writes that "history in fact is a record of exploded illusions. The only lesson it teaches is humility." One wishes he applied that lesson to the study of history.

Wood begins from the premise that "historians of the period understand things better than people living in that period did." No one would deny that is true in some respects. As he notes, we know "how things turned out." Yet there are many important ways in which it is not true. Do we really understand Jefferson's politics better than Madison did? The most thoughtful of the founders were not, as Wood claims in his book, surprised to find that democratic republicanism could be a threat to liberty. Lord Bolingbroke, whom the founders read closely noted that "absolute monarchy is tyranny; but absolute democracy is tyranny and anarchy both." Wood's belief that we always know more than our subjects leads him to exaggerate their ignorance and our knowledge. (The historical record is also rather less complete than he allows. The early U.S. Senate, for example, was closed to the public, and historians have often relied on the notes of Pennsylvania senator—and dyspeptic crank—William Maclay for insight.)

Wood claims he doesn't "deny the founders' greatness" because they "created ideals and institutions by which we still govern ourselves." Insofar as he follows his stated historical method it is power wielded effectively, and not wisdom or goodness, that made them great.

Power or influence is all the historian can measure.

According to Wood, the "historical process" is simply the term we use to describe the aggregation of all decisions human beings make, just as the "market" is the term for the aggregation of all decisions made in the economy. The job of the historian, then, is to describe the general flow of history over time, or as I wrote in my review, "American history is about the movement of prevailing opinion in America to one standard deviation." *Empire of Liberty* is an excellent work of social and cultural history, but great statesmen often are more historically aware than Wood allows. Wood's approach to history makes it difficult to distinguish between a wise man and a fool, or, for that matter, a statesman from a skilled ward pol.

Wood, as I noted in my review, also ascribes deeper meaning to the "historical process," as when he writes that Americans were no longer "on the periphery of the historical process," instead they were "suddenly cast into its center." It's the Whig theory of history without the idea of Progress (except in the study of history, I suppose. Wood leaves no room for the possibility that pre-modern historians might have known truths about the past that modern historians don't). He cannot take seriously those either in the past or today who disagree with that premise.

Professor Wood doesn't seem to realize that his method is less disinterested than he presumes. He takes ideology to be a neutral concept. But ideology was a new idea in the period about which he writes, and one that was very much in dispute. Jefferson endorsed it; Adams rejected it. Ideology is connected with the idea that language is constitutive of thought. The historical corollary to that idea is the belief that ideas, by their nature, belong to certain ages.

From Wood's perspective, the ideas that all men are created equal and that governments are instituted among men to secure certain unalienable rights are not truths, as the founders understood them, but

artifacts of the 18th-century mind. But is the belief that ideas, by their nature, belong to certain ages itself an historically contingent idea? Since the founding era, Americans have argued over precisely this point. It is difficult to give an adequate account of American thought or of American politics when one is a partisan in the intellectual battles of the 18th century.

A LINCOLNIAN TOCQUEVILLE

Daniel Mahoney's otherwise insightful review of Craitu and Jennings's *Tocqueville on America after 1840* fails to make his case that Tocqueville made "essentially Lincolnian judgments" about slavery ("A Friend of America and Liberty," Spring 2010). The Frenchman's argument cannot be essentially Lincolnian without reference to the Declaration of Independence.

Mahoney maintains that for prudential reasons Tocqueville suppresses the importance of America's founding document. A focus on the Declaration might have been misunderstood by a France divided over "abstract" appeals to the "rights of man." Though plausible, the fact that Mahoney doesn't find any support in the Craitu and Jennings volume that Tocqueville ever acknowledged the importance of the Declaration confirms one's suspicion that he was blind to rather than canny about America's natural-rights basis.

It is no surprise, then, that *Democracy in America's* greatest weakness concerns the Civil War. Events did not bear out Tocqueville's prediction of a war fought between races. Instead, in Lincoln's graphic terms, it was a case of "our white men cutting one another's throats" over the issue of slavery. Tocqueville did not anticipate Lincoln's race-transcending pathway from equal natural rights to common citizenship, because he did not start from natural rights to begin with. Tocqueville's equality is an amoral historical force, not a moral first principle. For him the Gettysburg

Address would be a bit of democratic poetry, not the authoritative statement of what it means to be an American.

As Mahoney writes, *Democracy in America* is required reading for serious students of America, providing "an unusually discerning account of American institutions and mores and...a penetrating description of the effects—all the effects—of modernity's unrelenting 'democratic revolution.'" But for all that, without understanding natural rights and government's proper limits, Tocqueville's understanding of slavery, race, liberty, and equality cannot be Lincolnian or even fundamentally about America.

Ken Masugi
Washington, D.C.

Daniel J. Mahoney replies:

My friend Ken Masugi not only refuses to accept Tocqueville's self-description as "half Yankee" but insinuates that there is something vaguely anti- or at least un-American about this great friend of liberty. He is convinced that Tocqueville is a historicist who bows before the impersonal authority of History and who denies the affirmation of natural justice at the heart of the American proposition. But Tocqueville's hatred for slavery, so abundantly on display in *Tocqueville on America After 1840*, was rooted precisely in an appeal to natural justice and in a recognition of the moral truth of equality—"of the similarity of man and the equal right to freedom"—that he believed Jesus Christ was indispensable in revealing to mankind (see *Democracy in America*, Vol. II, Part 1, Chapter 3). And as Tocqueville's remarkable correspondence with Arthur de Gobineau suggests, there was no more eloquent, discerning critic of the "scientific" or rather pseudo-scientific justifications for slavery or racism. The great "democratic revolution"—the "equalization of conditions" and the abolition of the hierarchies or inequalities of the European old regime—was indeed a sociological

fact for Tocqueville. He pleaded with the "aristocratic" party of his generation to place their talents at the service of educating and moderating democracy rather than promoting a destructive and ultimately impossible return to the past. But as Raymond Aron has pointed out, "in the history of sociology, Tocqueville remains closest to classical philosophy, as interpreted by Prof. Leo Strauss." The French statesman and political thinker never took his bearing from History since the "fatal circle" of democratic equality could as easily culminate in servitude and barbarism as liberty and enlightenment (see the final paragraphs of Volume II of *Democracy in America*). He despised Hegel and saw that his seemingly conservative doctrine could just as readily give support to perverse materialist and socialist currents (see his July 22, 1854, letter to Francisque de Corcelle). Tocqueville finally judged human things by standards of justice and nobility that had nothing to do with an "amoral historical force." He highlighted the tension between democratic justice and the greatness inherent in the human soul without allowing History to be the final arbiter of that conflict.

One last comment. Masugi is hesitant to acknowledge the "Lincolnian" features or rather affinities of Tocqueville's reflections on America in the years immediately leading up to the Civil War. Masugi goes further in stating that Tocqueville could not appreciate or do

justice to the Gettysburg Address. But in his beautiful appeal to the American people that appeared in the anti-slavery tract *Liberty Bell*, Tocqueville went beyond an eloquent, anguished critique of "man's degradation by man." He stated his great hope that he would live "to see the day when the law will grant equal civil liberty to all the same inhabitants of the same empire, as God accords the freedom of the will, without distinction, to the dwellers upon earth." He is speaking in his own idiom, to be sure. But I do not see how Masugi can claim that Tocqueville could not anticipate "Lincoln's race-transcending pathway from equal natural rights to common citizenship." That was one possibility that Tocqueville earnestly hoped for and anticipated in his sole public intervention in the American debates about slavery and Union after 1854.

AYN RAND'S LEGACY

As an Objectivist, I've long become accustomed to the sneering ad hominem that is virtually inevitable whenever conservatives discuss Ayn Rand. I was very pleased to find the contrary in Charles Murray's fine review ("Who Is Ayn Rand?" Spring 2010). Although I disagree with some of his comments and characterizations, his review was level-headed, honest, and fair, and for that I am grateful.

Timothy Sandefur
Sacramento, CA

Charles Murray's informative review of the recent biographies of Ayn Rand by Jennifer Burns and Anne Heller was a pleasure to read. Its balanced assessment of Rand will infuriate orthodox Objectivists—and perhaps a few conservatives, too. My own interest in Rand, which dates back to the early 1960s when I attended lectures at the Nathaniel Branden Institute in New York City, has focused primarily on her little-known theory of art, which neither biographer addresses. Murray errs when he speaks of

"Objectivist aesthetics" that rejected Bach and Mozart. Rand disliked Beethoven, Shakespeare, and others, too, but these were purely personal opinions and not part of the Objectivist philosophy.

Louis Torres
New York, NY

Charles Murray tells us to ignore the sum of Ayn Rand's integrated thought (which he never does get right) in favor of a few selective aspects that meet his approval. The existence of the Ayn Rand Society—an affiliate of the American Philosophical Association—suggests some worthy originality in her system-building. Instead, Murray relies on two "biographers" who don't even care to understand their subject's philosophy of Objectivism on its own terms. In order to show us that Rand was "delusional," he relies on dubious details about her personal life repeated by proven liars, including disparaging claims flatly contradicted by people who were there.

Ariel Aviatik
Seattle, WA

Ayn Rand is not taken seriously by any significant philosophy, economics, or literature department in any institution of higher education. And with good reason: she was a sad lightweight in all three areas. Charismatic she may have been; a deep thinker she was not. That she trumpeted man's achievements hardly warrants a pedestal anywhere. To this day she is an alternative read for youngsters too intellectually challenged by Locke or Nietzsche, and her fictional characters are cartoons. No wonder she faked the reality of much of her life.

Geoff King
Jackson Heights, NY

Charles Murray replies:

To Messrs. Sandefur and Torres, my thanks for their kind words. Regarding Mr. Torres's distinction

between Objectivist aesthetics and Rand's personal views, I was under the impression that Rand's personal views were pretty much coincident with Objectivist theory. But his letter has the tone of someone who knows what he's talking about, so I accept his correction.

Mr. King is right about academia's opinion of Rand as a lightweight. Nevertheless, no one continues to sell hundreds of thousands of books annually for half a century, and influence countless lives, without having said something important that others haven't said as well. The last half of my essay was an attempt to describe that something. Perhaps if I were smart enough to understand Locke and Nietzsche, I would have done a better job of it.

Regarding Mr. Aviatik's unhappinesses, I can only say that I took my brief description of the premises of Objectivism directly from the Ayn Rand Institute website, and that the evidence for her self-delusions is extensive, from multiple sources, and meticulously documented in both biographies.

RESCUING THE RIGHT?

I am very much obliged to Steven Hayward for his friendly notice of my book *We Are Doomed* in his essay "Reading up on the Right" (Winter 2009/10). Because he asked me a question in that essay, I'll give him an answer.

The question was: "Without the conservative movement of the past 50 years, how much worse would things be?" My short answer is: not much.

For a long answer I'll attempt an empirical enquiry, using the Trendline Test that Charles Murray described in his 1997 book, *What It Means to Be a Libertarian* (whose last section, I note in passing, begins with a subsection headed "Gloom and Hope").

In Murray's book the Trendline Test works thus. You plot a graph—a trendline—for some social or economic variable, covering as many years as you can. For

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illustration, Murray uses highway fatalities per vehicle miles traveled, 1925–93. Then, *just by scrutinizing the graph*, you try to spot where government intervened to change the variable. Surprisingly often, you can't; and when you can, the government intervention usually causes the trendline to move in the "wrong" direction.

Murray is making a case for libertarianism, of course, but the Trendline Test has wider applicability. For example, let's ask a question closely related to the one Hayward asked me: taking the trendline for total (federal, state, and local) government spending across the last 50 years, is it possible to spot any effects from the most active phases of the conservative movement?

Chris Chantrill has compiled a handy selection of such graphs on usgovernmentspending.com/charts. For total government spending as a proportion of GDP, the broad picture is:

- A fairly steady upward creep from 1960 to 1991, averaging 0.27% per annum.
- A steep decline from 1991 to 2000, averaging 0.52% per annum.
- An upward climb, averaging 0.57% again from 2000 to 2008."
- Liftoff! from 2008 onwards.

The 32% level of 1978-9 America (prop. James Earl Carter) has not been seen since. The 2010 figure is 44.5%.

If, given only this data, one were asked to infer correctly periods of conservative ascendancy, I submit that even the most capable data analyst would be stumped.

There is of course much more to be said. True, the USSR no longer exists; but that the American conservative movement caused, or even much accelerated, its demise, has not been proven to my satisfaction. Empires have their own life cycles. The "cultural Marxism" of our academies, media, and leftist political class is anyway far more of a threat to our liberty than the Red Army ever was, and it waxes stronger by the hour.

The Supreme Court had four firm liberals in 1960; it has four today. Would it have five, or six, if Ronald Reagan and William F. Buckley, Jr., had not walked the earth? Who can say? I *can* say that I see few surviving traces of the conservative revolutions in our public life this past half century—Thatcher's, Reagan's, Gingrich's. What I see across the Western world is fiscal suicide, political arrogance, economic humiliation, cultural dissolution, military self-neutering, and ethnic disaggregation, and I see them more plainly with every day that passes.

If the conservative movement has been a brake on any of these dire trends, it has been a Prius brake on a Mack truck.

John Derbyshire
Huntington, NY

I am very gratified that Steven Hayward chose to use words like "superb" for my book *The Conservative Century*, especially in an essay featuring the works of George H. Nash, Patrick Allitt, and Sam Tanenhaus. He defines the broad parameters of my work quite well and I have no issue with what he says in general about the book's argument.

But he does miss the wider point of my discussion of the Old Right. I argue that the pre-World War II Right was elitist and hostile to mass democracy. The sense of a Nockian remnant defending Western civilization from the challenges of Bolshevism, Progressivism, and modern liberalism, made the intellectuals featured in my book incapable of recognizing—and organizing against—the political threats of Woodrow Wilson and Franklin Roosevelt. The quirky architect Ralph Adams Cram took this farther than most when he argued that the masses were no further along the evolutionary chain than Neolithic Man. It was hard to win votes when such arguments passed for conservative rhetoric in the Depression era.

Not until after World War II, with the emergence of the Cold War and the exposure of liberal

acquiescence to Stalinism in the 1930s, did conservatives come to see virtue in the people, and make the effort to organize them into the building blocks of the conservative political ascendancy. William F. Buckley's famous aphorism that he would rather be governed by the first 2,000 names in the Boston telephone directory than by Harvard's 2,000 faculty members is not a *bon mot* that could have been made by any pre-1930s "Rightist" intellectual.

Gregory L. Schneider
Topeka, KS

I applaud Steve Hayward for mentioning Herbert Hoover as a cautionary figure for conservatives. Hoover best exemplifies how the rhetoric of limited government and American individualism can be used for unconservative ends when unmoored from constitutionalism. Hoover was the original compassionate conservative, at least when race relations are put to the side. He made his name in national politics through humanitarian relief, first in occupied Belgium during World War I and then after the Mississippi River Flood of 1927. Hoover's humanitarian efforts were wildly popular, but they had no clear constitutional basis. He was the first major politician to recognize that expanding the scope of federal government involvement in disaster, and even the definition of disaster, was a sure means to reach the national public through direct aid and the bonds of sympathy. He used disaster relief as a catapult to the presidency. Hoover's career is all the more bracing when mentioned in the same essay as a review of Gregory Schneider's excellent book, *The Conservative Century: From Reaction to Revolution*. Schneider finds that conservatives did not learn until after World War II that they must "plunge into politics" in order to seek electoral majorities through a more populist appeal. The agrarian Old Right may be too idiosyncratic to offer a model for conservatives today. Yet Hoover, a conservative of the same era, shows

the temptations of a modern, technical, populist, and yet peculiarly limited-government conservatism for ambitious politicians who operate outside constitutional limits.

Patrick S. Roberts
Virginia Tech
Blacksburg, VA

Steven F. Hayward replies:

It is tempting to respond to John Derbyshire's fiscal cliometrics with the trendlines for gun ownership and ammunition purchases, the defense of which has been a narrow but vigorous conservative purpose for a long time, culminating now in the spread of concealed carry laws. Is there another country that comes close, or that gave up its right of armed self-defense against the government with any kind of fight? More broadly, although I share Derb's preference for measurable data, his mention of judges moves to a field where data is hard to adduce; but can he name another democracy where there is any controversy comparable to ours about the judiciary and constitutional construction? Maybe the variable on both of these counts is not the conservative movement, but American exceptionalism—but then, the defense of American exceptionalism today tends to be increasingly a conservative project.

I note in the close of *The Age of Reagan* exactly the same lamentable facts as Derb about the failure of the Reagan Revolution to stop the growth of government (which has generated complaints about my book from some Reagan triumphalists), but even these numbers wilt before a one-word response: Europe. We've always been far below European public spending levels, and even Barack Obama's prodigious efforts are not yet taking us to European levels. Maybe the conservative movement does not deserve the credit for this; on the other hand, it is hard to see what would have stopped liberals from matching the post-war European ratchet. It took the Left 60 years to get to the point of Obamacare. Has there ever been a phenom-

enon like the Tea Parties in any of the European social democracies?

Derb's doughty pessimism really does go too far, though. He writes that "I can say that I see few surviving traces of the conservative revolutions in our public life." I would hope that even dour Derb would count cutting marginal tax rates from 70% to under 40% among the "few surviving traces" of conservative revolutions, but that was a very big one. And is it really true that "fiscal suicide" and "economic humiliation" are universal in the Western nations? The examples of dramatic reversals in New Zealand, Canada (of all places), and Ireland (before the crash) should suggest that fiscal ruin and economic suicide are not inexorable. Here at home, even New Jersey is showing signs of fiscal self-discipline in an extreme situation. But above all, Derbyshire's prescription that conservatives should go back to tending their private gardens would return us to where we were in the 1930s—a movement with no political force at all.

Which brings me to the point Gregory Schneider raises. I should like to have said more about Schneider's book; in particular, I should have been more clear or forceful about my criticism of pre-war conservatives. It is not Schneider's account that I find defective—it's not—but that anti-democratic detachment, which Schneider rightly notes here made "the [conservative] intellectuals featured in my book incapable of recognizing—and organizing against—the political threats of Woodrow Wilson and Franklin Roosevelt." How very different was this outlook and engagement from the founders, whose conservatism we rightly celebrate, but who were above all deeply political men. The prewar conservatives' anti-political attitudes were a grave defect, a dereliction from the duty and necessity to defend freedom, that we are still trying to overcome. It represents political conservatism's "lost generation," which left us, as Patrick Roberts notes in his letter, with only Herbert Hoover, who wasn't good enough.

EXAGGERATING HEIDEGGER

In his review of Emmanuel Faye's new book on Martin Heidegger ("Nazi or Philosopher?" Spring 2010), Steven B. Smith exaggerates the repugnance of Heidegger's response to Herbert Marcuse's complaint that although a philosopher "can be mistaken in politics," he cannot make a "mistake" about "a regime that killed millions of Jews simply because they were Jews." According to Smith, in replying Heidegger not only refused to apologize, he proceeded "to reaffirm the correctness of his decisions" and to suggest that Marcuse should have mentioned that millions of "East Germans" had been murdered. In fact, in his letter Heidegger conceded that Marcuse had offered "serious legitimate charges" about the Holocaust and other matters, including terror and tyranny. Although he was certainly evasive in his reply, he neither stated nor implied that Marcuse should have mentioned the East Germans *instead of* the Jews. He simply insisted that what was done to the Jews could also characterize what the Soviet Union had done to the Germans. I in no way wish to defend Heidegger against Marcuse's criticisms—Nazi anti-Semitism was shockingly explicit, extreme, and pervasive—but there is no need to inflate his transgressions.

Peter Minowitz
Santa Clara University
Santa Clara, CA

PLATO'S DIALOGUES

Mark Blitz has kind words to say at the beginning and end of his review of Catherine Zuckert's award-winning book, *Plato's Philosophers: The Coherence of the Dialogues* ("How to Read Plato," Spring 2010). But it is what appears in the middle that matters, and the central part of his review is an attack on two of Zuckert's interpretive principles: that Plato's dialogues should be read in light of

the order of their dramatic dates and that the contrast between Socrates and Plato's other philosophic figures (such as Parmenides or Timaeus) is crucial to understanding the dialogues.

Although Blitz does not mention it, both principles can be traced to Plato's *Phaedo* in which Socrates recounts his intellectual autobiography, emphasizing his dissatisfaction with alternative philosophies and philosophers, and the development of his own unique way of philosophizing as a response. Zuckert's original and impressive argument is all the more convincing because of her fidelity to Plato, and her ability to incorporate other approaches—such as Blitz's emphasis on narrated and performed dialogues—with her own. That may not make it the "best" way to read Plato, but surely it weighs in its favor.

Zuckert is well aware of Blitz's objection that determining the dramatic dates of some dialogues is difficult, if not impossible. She argues that Plato's contrary indications are likely intentional and should inform a reading of the dialogues (e.g., the *Menexenus*). Although Zuckert is quite careful in dating the dialogues, particularly those which are disputed, this difficulty is far less significant than Blitz makes it out to be, because her intention is not to date each conversation—the dialogues are literary, not historical—but to categorize the dialogues into five broad periods, corresponding to five stages of Socrates' philosophical career.

This career is shaped largely by Socrates' encounters with alternative philosophical views, presented by Plato's other philosophers. This is why Zuckert emphasizes—Blitz claims she "overstates"—the difference among the philosophical views represented in the dialogues. I suspect that much of Blitz's hostility to Zuckert's book stems from her argument that the Platonic philosophers do not say, in effect, the same thing. Rather than summarize her argument, Blitz simply repeats the conventional—at least the conventional Straussian—opinion that Socrates, the Athenian Stranger, and the Eleatic Stranger have a

similar conception of politics. As the copious footnotes in her discussions of the *Republic*, *Statesmen*, and *Laws* make clear, Zuckert is well aware of this argument and any fair reader must acknowledge that she presents a persuasive account of the differences between them that ably challenges the usual reading.

According to Zuckert, Plato presents Socratic philosophy's limitations and shortcomings, which are made explicit in the critiques made by the other philosophers. Yet Plato himself expresses a clear preference for Socrates precisely because of his recognition that philosophy is always a quest for rather than the possession of wisdom, and because of his turn from the study of the heavens to the study of human things.

Kevin M. Cherry
University of Richmond
Richmond, VA

Mark Blitz tells us that Catherine Zuckert's *Plato's Philosophers* attempts to provide "a comprehensive account of Plato's 35 dialogues" without ever suggesting that she had any argument to make that required an account of them as a whole. As it happens, she offers a detailed, comprehensive, and marvelously sustained interpretation of Plato's political philosophy, the problems which it comprehends, and the character and limits of the solutions he ventures. In order to accomplish this, Zuckert provides an account of his manner of writing, beginning with the puzzle of the dialogue form. She focuses on the strange fact that Socrates is Plato's most prominent spokesman in these philosophic dramas, and uses the occasions where he is not to understand Plato's indications of Socratic philosophy's limits and fundamental merits. In tracing the drama of Socrates' life in Plato, Zuckert attempts to discern the dramatic order of the dialogues. She gathers evidence external and internal to the dialogues in order to supply what Plato's audience might have known about the dramatic details of each dialogue.

Blitz implies that the two "principles" according to which she or-

ganizes her study come out of nowhere, and that the book's main purpose is to date precisely when Socrates spoke to each of the characters in Plato's dialogues and how he is different from the other interlocutors. Blitz presents these as Zuckert's "principles" when they are really means to an end, namely, attempting to understand the philosophic problems to which Socrates and Plato responded. One would never know from Blitz's review that Zuckert's book carefully weighs the alternatives or that her consideration of the problem of Platonic writing is a thoughtful engagement with and serious response to Leo Strauss. Her book deserved more than a gloss in the pages of the CRB.

Alexander S. Duff
Winston-Salem, NC

Mark Blitz replies:

I am sorry that my review of Catherine Zuckert's *Plato's Philosophers* was not as unreserved in its praise as Kevin Cherry and Alexander Duff would have wished. Nonetheless, I meant both my praise and my criticism seriously, and see nothing in their assertions to cause me to change my mind. I invite the reader to study Plato's dialogues, and to examine for himself what they teach.

READING MONTESQUIEU

I am greatly indebted to the editors of CRB for choosing an exceptionally well-informed and thoughtful scholar to review my books *Montesquieu and the Logic of Liberty* and *Soft Despotism, Democracy's Drift*, and I am exceedingly grateful to Diana Schaub

for her generosity and accuracy in treating what I wrote ("The Spirit of the Laws," Spring 2010). I am especially glad that she highlighted by way of criticism one of the issues with regard to which my treatment of Montesquieu is distinctive and likely to be controversial—my discussion of the political psychology fostered by the English form of government. In my opinion, this issue deserves careful attention.

Montesquieu distinguished (2.11.6) between "political liberty in relation to the constitution," which arises from the separation of powers and eventuates in a reliable rule of law, and "political liberty in relation to the citizen" or "that tranquillity of mind (*esprit*) which comes from the opinion that each has of his security" (2.11.6). He noted that it is possible to have either species of liberty without the other (2.12.1). That the English possessed "political liberty in relation to the constitution" was the point of Montesquieu's discussion of their constitution (2.11.6). This much was obvious. But did they possess "political liberty in relation to the citizen?" Were they confident that they were secure? Were they tranquil in spirit? Given Montesquieu's contention that "mores, manners, and received examples can cause" the latter species of liberty "to be born" (2.12.1), it seemed appropriate that I consult the second longest chapter in *The Spirit of Laws*, where he examined the manner in which England's "laws can contribute to forming" her "mores, manners, and character" (3.19.27)—and there I was brought up short: for, in this chapter, Montesquieu described a people apt to succumb to uneasiness and anxiety (*inquiétude*) even in the absence of a "certain object" able to give focus to their fears.

Professor Schaub is right to emphasize that, in England, *inquiétude* helps produce a "self-correct-

ing motion that keeps the system in equilibrium." Without what she calls "the perpetual jostling of parties," there would, indeed, be in England no "political liberty in relation to the constitution." She is also correct in asserting that, "vis-à-vis one another," in England, "citizens feel secure." But this is insufficient, for the English are prone to an "*inquiétude*" incompatible with "tranquillity of mind" even when there is no one in particular to fear. Unprompted by genuine peril or even by false alarm, Montesquieu's Englishman "fears the escape of a good" that he "feels," that he "hardly knows," and that "can be hidden from us," and this "fear always magnifies objects" and renders him "uneasy (*inquiet*) in his situation" and inclined to "believe" that he is "in danger even in those moments when" he is "most secure." Later in the same chapter, Montesquieu depicts the English as a miserable lot. To their leading men, he attributes an "emptiness of spirit." In England, he tells us, the women scarcely live among men, and the men in turn are prone to debauchery and inclined to abandon themselves to their own humor. "The majority of those who possess intelligence and wit (*esprit*)" are, he concludes, "tormented by that very *esprit*: in the disdain or disgust" that they feel with regard "to all things," they are "unhappy with so many reasons not to be so" (3.19.27).

There are a great many scholars—especially in France, but also among students of French history and politics in England, America, and elsewhere—who take these passages as a clear indication that Montesquieu preferred monarchy to the English form of government. Who in his right mind, they ask, would not prefer *joie de vivre* to *inquiétude*, disdain, and disgust? I believe, nonetheless, that they are wrong, and I tried to show in my book that Montesquieu's muted critique of the French polity and his

forecast of its demise are—when closely examined—far more devastating than anything that he has to say about England. This does not mean, however, that he harbored no serious misgivings with regard to the latter.

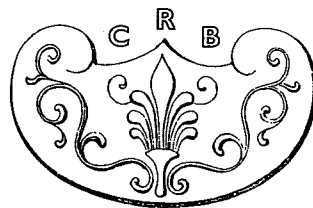
What strikes me about Montesquieu's mature work is his astonishing serenity, his ability to weigh impartially the relative advantages and disadvantages associated with each form of government, and his inclination to intimate a preference for the best option available without ever succumbing to the temptation to lose perspective and become its partisan. No one has ever thought Montesquieu a friend to despotism, but, in his own day, he was read in different circles variously—as an unabashed admirer of classical republicanism, as a devotee of modern monarchy, and also as a partisan of the English form of government. These interpretive propensities are all still very much alive today. To treat him as a partisan of any of these forms of government is, however—at least in my opinion—to deny ourselves the full depths of his wisdom.

Paul A. Rahe
Hillsdale College
Hillsdale, MI

Errata

Wilfred M. McClay's "Sources of American Renewal" (Spring 2010) should have acknowledged that an earlier version was presented as part of Regent University's 2010 Ronald Reagan Symposium on "The Future of American Culture."

Fred Siegel's review of William Voegeli's *Never Enough: America's Limitless Welfare State* ("Insatiable Liberalism," Spring 2010) should have noted that Siegel is a visiting professor at St. Francis College and a contributing editor of *City Journal*.



THE STAKES OF OBAMACARE

Essay by Charles R. Kesler

AS A CANDIDATE, BARACK OBAMA USED TO joke about the sun breaking through the clouds when he started to speak. Lately, the sun god seems to have deserted him. The Washington Post/ABC News poll reports that six out of ten voters say they lack faith in him to do the right thing for the country. His health care scheme appears to be on life support, attracting about 38% approval across a range of polls. The economy teeters on the edge of a *second* recession. The Gulf oil spill, at least, is over—though the cleanup continues and the images remain indelible. Day after day, those belching black clouds mocked Obama's billowing oratory. They became an omen of subterranean Nemesis for this president who promised to heal the earth and calm the seas.

Judged by his own standards, however, Obama has good reason to take pride in his record. For his presidency already has accomplished a historic transformation of American government. Thanks to his victories on the bailouts, health care, and financial regulation, government's size, cost, and agenda have swelled enormously and are set to expand further over the long term. Obamacare may be controversial, but it's the *law* now. He's succeeded in what many liberal commentators and politicians, and most conservatives, too, thought impossible—launching a fourth wave of liberal social reform, adding to the storied legislative accomplishments of the New Freedom, the New Deal, and the Great Society.

But even as American government has lurched to the left in the past year and a half,

American politics has shifted to the right. Instead of New Deal-style acclamation, Obama's orgy of state-building has been greeted by an entirely new grassroots conservative movement, the Tea Party, as well as a firming and inspiring of right-wing opinion across the board. Gallup reports that 42% of Americans now consider themselves conservative, an all-time high, and only 20% call themselves liberal—a margin of more than two to one. Independent voters are fleeing Obama in droves. His party will almost certainly suffer severe losses in 2010, not only in congressional seats but also in governorships and state legislative houses.

With the long-term momentum of American government and at least the short-term momentum of American politics pulling so strongly, so suddenly in opposite directions, something is bound to give. Either government will yield, or the people will.

The Long Game

AS PRESIDENT, OBAMA HAS A LONGER TIME horizon than the congressional Democrats. Though he's concerned about 2010, his eyes are on 2012 and beyond. Despite a summer of bad news, his personal approval rating stands in the respectable mid- to upper-40% range, within striking distance of majority support, though the trend line (he was at 64% in early 2009) cannot be encouraging. But he probably figures that in the next two years his luck is bound to improve, and policies already in train will redound to his benefit. The economy

will recover some, more troops will depart Iraq and Afghanistan, and the administration will earnestly embrace the appearance of fiscal austerity. Plus he knows running for office is what he does best.

Rather like Ronald Reagan after his party's 1982 thumping, Obama will argue he's a transformational president whose "change" policies have only begun to work. It's highly unlikely his economy by 2012 will dazzle as Reagan's did by 1984, but Obama already has an excuse for that. All along he's said that health care reform was the key to economic health, that without the former the latter was unsustainable; and since Obamacare will not be fully implemented until 2014 or so, safely after the election, the economy cannot be expected to look very robust just yet. This isn't a very plausible argument, but it is consistent.

One thing you will never see Obama do, no matter how badly the Democrats fare in 2010, is eat crow the way Bill Clinton did in his first term. Obama is too proud and too ideological for that. You won't catch him announcing in next year's State of the Union address, "The era of big government is over." Of course, Clinton would have been in a very different situation had he succeeded in enacting Hillarycare before his party lost control of the House and Senate in 1994. But after his health care reform's ignominious death in a Democratic-controlled Congress, he had little choice but to triangulate in order to save his presidency.

By contrast, Obama has huge legislative victories that he will be eager to defend because

they're the jewels in his crown—and because without them, he cannot win the still longer game he's playing. That game is all about preserving and perpetuating the era of big government. It's about building a bigger and better state that will grant people new kinds of rights and at last achieve a new kind of national community—a “more perfect Union,” as he terms it, meaning a more perfect social democracy.

In that protracted effort, Obamacare is key. It's unpopular now, but he's wagering that the American people never met an entitlement they didn't like *eventually*, whether out of sentiment, self-interest, or simply habit. The more one ponders Obamacare's electoral, policy, and longer political implications, the more it stands out as the centerpiece of his whole political enterprise. Stop it—repeal it, we must now say—and you have a good chance of stopping the transformation he seeks. Fail, or worse, don't even try, and you permit what can be called, without exaggeration, gradual regime change at home. For the health care question involves, in its longest reach, nothing less than the form of government and the habits and character of the American people.

Remaking America

OBAMA DID NOT CONCEAL THE SPECIAL status of the health care issue. In the speech announcing his presidential candidacy in February 2007, he vowed “that we will have universal health care in America by the end of the next president's first term.” He said repeatedly that our existing health care system not only costs too much, but was unworthy of American ideals. “We are not a nation that lets hardworking families go without the coverage they deserve; or turns its back on those in need,” he told the American Medical Association in 2009. “We are a nation that cares for its citizens. We are a people who look out for one another. That is what makes this the United States of America.” Actually, every nation cares in some degree for its citizens; looking out for one another is not a distinctively American trait but a minimal part of civic friendship in any decent society. But then his point was that America, despite its citizens' remarkable individual virtues, had far to go to be a decent society. The view is widely shared in his family and his administration. Michelle Obama used to say in her standard campaign speech that the country is “just downright mean,” though she implied the problem was curable. Her husband “knows that at some level there's a hole in our souls,” she often said, and he “is the only person in this race who understands that before we can work on the problems, we have to fix our souls. Our souls are broken in this nation.”

Part of the soul-fix was to reawaken Americans' belief in “the audacity of hope,” the notion that big changes were still possible in politics if only the people would put aside their cynicism and fear, enlist behind a leader capable of seizing the moment, and together chant, “Yes, we can.” The Obama campaign seized that moment and did not let go, but the point was not merely to win the election but also to change the country. He knew it was impossible to fix the American soul without working on “the problems,” too, without showing that change could be embodied in new programs and institutions that would in turn shape a better American soul.

Of the myriad problems Obama wanted to tackle, health care was the biggest and the most emblematic of America's moral failings. When he addressed a joint session of Congress in September 2009, Obama quoted from Senator Teddy Kennedy's posthumous letter to him on precisely that point. Health care reform is the “great unfinished business of our society,” which is “decisive for our future prosperity”; but also, Kennedy emphasized, it “concerns more than material things.” It is “above all a moral issue: at stake are not just the details of policy, but fundamental principles of social justice and the character of our country.” Obama seconded Kennedy's point enthusiastically.

From the Right and Left, critics have questioned President Obama's decision to spend so much of his first 18 months on reforming health care rather than reviving the economy and restoring jobs. It was a fundamental mistake that will haunt the rest of his term, they say. A few interpret it not as a miscalculation but as a case of tunnel vision, like a pilot so obsessed with a sticky compass that he forgets to fly the plane as it heads right into a mountain. On Obama's own terms, however, the dogged persistence on health care—despite the economy, despite the plummeting polls, despite Scott Brown's election to Kennedy's place in the Senate—was progressive statesmanship of the highest order. Reforming health care was the defining issue of our time. And more importantly, it was the royal road to a less cruel, less selfish, less capitalist, more liberal America, and he would not abandon it or be forced off it.

As he told Congress, “we did not come here just to clean up crises,” even one as big as the Great Recession. “We came to build a future.” And the issue “central to that future” is health care. “I understand,” he confessed, “that the politically safe move would be to kick the can further down the road—to defer reform one more year, or one more election.... But that's not what the moment calls for.” We came here not “to fear the future” but “to shape it,” to do the “great things” that “will meet history's test.” He concluded, “That is our calling. That is our charac-

ter.” And that had been his theme all along. “Let us transform this nation,” he implored in 2007. After the Iowa caucuses, he hailed those voters “who have the courage to remake the world as it should be,” and after the New Hampshire caucuses he declared, “Yes, we can repair this world. Yes, we can.” As election day 2008 approached, he promised, “We are five days away from fundamentally transforming the United States of America.”

Those words mean *this will be a different country* when he's finished with it. If, Rip Van Winkle-style, one had slept through the Obama Administration, one would awaken, as it were, in a new land. The old word for such a profound change was *revolution*. As a good American progressive, however, Obama reckons his revolution will be one in a series, an unending series generated by progress or history itself. His reforms will connect to Woodrow Wilson's, Franklin Roosevelt's, and Lyndon Johnson's before him, and others yet to come, and all these together will constitute a steady evolution of American society and politics, a continual updating. That sounds reassuring, insofar as it promises to take the sting and surprise out of political change; but that predictability or security comes at the expense of liberty, because there is no choice about the whole of liberal-style progress and evolution. You could choose whether or not to make a revolution; a revolution might be defeated or reversed. But you don't get to deliberate about the inevitable, which is how progressives think of History. As Americans have been told for generations now, *ad nauseam*: you can't turn back the clock.

Shaping History

BY THE SAME TOKEN, YOU CAN'T TURN THE clock ahead, either. As Orson Welles used to promise in those commercials for Paul Masson, no liberal revolution is ever sold before its time. Thus after “a century of trying,” Obama noted, the time was ripe for health care reform. The system was at “a breaking point,” reform was “a necessity we cannot postpone any longer,” and “for the first time, key stakeholders [the drug companies, the American Medical Association, the Association of Health Insurance Plans, etc.] are aligning not against, but in favor of reform.” We're “in one of those rare moments where everybody is ready to move into the future,” he said. Even if successful political change is always timely, however, someone must take responsibility for testing its timeliness, and so there is something important left for a politician to do. Still, History's lead role turns even the most ambitious politician into a supporting actor—and one who has very little say-so over the script.

This is a deep problem in the political psychology of progressive liberalism, and one can see Obama chafing against the limits of his supporting role. Reform hardly seems inevitable when you're fighting for it tooth and nail, after all; shouldn't Obama get the lion's share of credit for pushing ahead with reform even after Scott Brown's election seemed to have killed it? That took audacity, which inevitability—the foreknowledge of success or the optimistic certitude of victory—would tend to detract from or even dishonor. It's well known that Obama's favorite pronoun is "I," but I suspect it's not merely egotism that prompts him to speak in the first person, to claim so much credit and, as the philosophy professors say, "agency" in so many matters. He doesn't want to be a mere tool of History. As at least a stepchild of the civil rights movement, he shares its sense of having *made* history. And the postmodern strains in his thinking lead him, at moments, to doubt whether such a thing as Progress or rational history even exists.

For whatever reasons, his favorite formulation is that he seeks to "shape" history. "What this generation has proven today," he declared in Iowa last March after his health care victory, "is that we still have the power to shape history. In the United States of America, it is still a necessary faith that our destiny is written by us, not for us." A "necessary faith" is not necessarily true, of course, and *shaping* history leaves ambiguous just how much freedom or influence human beings actually have. Do we shape matters decisively, or only at the margins? And then he repeated, as if for emphasis: "Our future is what we make it. Our future is what we make it." In fact, that's the deeper meaning of his slogan, "Yes, we can," which he called in Iowa "the creed that continues to define the character of this country." America stands for the ability to change, the openness to change, the willingness to constantly remake ourselves—but apparently for no definable purpose, natural, divine, or historical. Jon Stewart, the comedian, caught the dilemma perfectly when, joshing the president over his equivocations on the Ground Zero mosque, he said Obama's slogan, as amended, now reads: "Yes, we can. But...should we?"

When dealing with conservatives, however, Obama's confidence in History's purpose and beneficence is miraculously restored. "I am not the first President to take up this cause," he told Congress last September, "but I am determined to be the last." As Harvey C. Mansfield pointed out in the *Weekly Standard* (February 8, 2010), the key to Obama's political success is the way he presents himself as somehow beyond or above ordinary politics. He thinks of himself, and wants us to think of him, as a nonpartisan or postpartisan figure. To the extent he must indulge in partisanship now, it's for the sake of

putting an end to it in the future. "His politics is apolitical," Mansfield argued. "It considers its measures to be progressive, and progress to be irreversible." In other words, Obama's postpartisanship is liberal hubris by another name. Liberals cursed by such hubris imagine they have the keys to the kingdom of History; they alone get to bless or condemn forevermore. Once Obamacare passed, it instantly joined the ranks of liberal social programs that were here to stay, that were permanent parts of the modern state, world without end, Amen. To attempt to repeal it, such liberals think, would be not only foolish, unheard of, insane, and impossible, but downright immoral—i.e., against the laws of History. Evil-doing, in short, by evil-doers, if ever there were any.

Losing Obamacare after winning it would, at the least, be a serious blow to liberalism's sense of its own inevitability.

The Case for Repeal

WHICH IS WHY CONSERVATIVES' resolve to repeal the health care act induces apoplexy among liberals. Conservatives are supposed to be good losers, resigned to the Left's control over the steering wheel and accelerator but cheerful about getting to apply the brakes (not too suddenly or firmly, please) in the curves. The notion that the clock *could* be turned back, that some limit to the state's growth could be discovered and enforced, that the people would hold in their hands, inspect carefully, but at last reject the Holy Grail of welfare state programs, for which the Left has been questing, just as Obama said, *for a hundred years*—why, the liberal mind reels. Even more than Reagan's victories, or Clinton's ignominious failure to pass nationalized health care, this reversal would raise doubts in the liberal mind about the liberal project.

Losing Obamacare after winning it would, at the least, be a serious blow to liberalism's sense of its own inevitability—the quasi-religious faith so central to all progressivism, and so crucial in disarming the Left's opponents. So conservative resistance to Obamacare must begin by confronting the historical voodoo by which liberals will try to frighten the Right into believing that resistance is futile, that repeal is

doomed. These gestures are best understood as a kind of war dance, like the *Haka* performed by New Zealand's rugby team before a match, designed to intimidate the opposing players. But nothing is inevitable in politics, at least nothing of this sort; and conservatives should laugh at this attempt to get them to cooperate in their own defeat.

Of course, repeal will be difficult. President Obama can be counted on to veto any repeal legislation that reaches his desk. It will take a Republican House, Senate, and president to accomplish repeal, therefore, which means it cannot happen before 2013. In the meantime, if the GOP wins control of one or more Houses in 2010 or even comes close, it may be possible to choke off funding for the new health care bureaucracies, thus slowing or blocking the law's implementation. The Supreme Court may well invalidate parts of the law before 2013, but then again it may not: conservatives' political strategy cannot count on favorable judicial action, but it will have to adjust to—and probably should anticipate—unfavorable action. Amid all these considerations, the crucial factor will be the GOP's (and perhaps an increasing number of conservative Democrats') development of the case against Obamacare, which must then be put to the American people proudly and in broad daylight.

The case for abolishing Obamacare has three parts, based on its awful effects (a) on health care, (b) on our political system, and (c) on our character as a people. The first of these, Obamacare's deleterious effects on health care quality, cost, innovation, and accessibility, has been well made already by conservative policy analysts and, less well but still effectively, by conservative politicians. On their merits, these arguments should have been enough to defeat Obamacare, and almost were. Floating in the debate's background so far have been anxieties about the legislation's effects on our constitutional system's balance of power and on the American character. These concerns will need to be more thought-through and clearly articulated in the days to come, because to clinch the argument conservatives need to show that the Patient Protection and Affordable Care Act is not merely bad or mistaken policy but somehow dangerous to our way of life. Legislative mistakes can be corrected, after all. Their pollsters are already warning Democratic congressmen to keep claims about the law "small and credible," to stick to "personal stories" of people who will benefit from it, and above all to promise to "improve" it. They're trying to shrink the target. Conservatives need to expand the target, and to emphasize that the stakes of Obamacare include nothing less than the future of self-government in America.

Policy and Politics

ALL ALONG, OBAMA KNEW THAT SELLING national health care to the American people would be a delicate operation. In the primary campaign, he positioned himself to Hillary Clinton's right on the issue (he was against the individual mandate back then, before he was for it as president). Less well remembered is that he tried to sound more conservative than John McCain, too ("John" was going to tax your insurance benefits; not Obama, who promised tax cuts to help people afford insurance). Once he was president, Obama turned the details over to Congress. (Why wasn't the plan called "ObamaDon'tCare"? In the almost 60 presidential speeches he gave calling for health care reform, no words came more readily to his lips than, "If you like your doctor, you'll be able to keep your doctor; if you like your health care plan, you'll be able to keep your health care plan." Those words were usually greeted by vigorous applause. Sometimes he was even more emphatic. In July 2009 he said, "If you've got a health care plan that you get through your employer or some other private plan, *I want you to keep it.*" (Emphasis added.)

Nothing you like about health care will change, he assured his listeners, implying that since 17 of 20 Americans like their health coverage, hardly anything would change at all—except marginally for the better: he promised to reduce premiums for these satisfied customers. The reason for his caution was obvious. The vast majority of Americans had more to lose than to gain from his plan. Hillarycare had crashed on take-off precisely because the public had come to fear the scheme's costly, painful changes. Obama could not let that happen again, so he presented his plan in the most conservative or change-averse way possible. His bold promises to fundamentally transform the country still hung in the air, but he did his best to suggest he could change the whole without affecting the majority of the parts.

Obamacare's biggest changes, he promised, would be to extend the existing system's excellences to the 40-some million uninsured, to lower costs for everyone by cutting hundreds of billions of dollars in waste, fraud, and abuse out of the system, and to prevent insurance companies from acting like insurance companies. None of these changes, he emphasized over and over, would threaten the existing health coverage of most Americans. It was the inherent implausibility of that teetering structure of promises that finally did it in, sinking Obamacare in the polls but not in Congress. To the congressional Democrats, Obama emphasized, on the contrary, the historic importance of their vote: this was their only chance to fundamentally transform the country!

He assured them it was good politics, too, in 2012 and even more so in the long run. But

the public is not singing "Happy Days Are Here Again," and the Democrats' latest FDR-moment has yet to earn the gratitude they expected or at least hoped for. They might reflect on the differences between, say, Social Security and Obamacare. As the name suggests, the former attempted to make Americans secure, or at least feel secure, in an age of economic insecurity and depression. By contrast, Obamacare makes most Americans feel less secure, not more. They fear, and rightly so, that it will erode the quality and accessibility of care they now enjoy, and endanger affordability and medical innovation in the future. Worse, it forces responsible people who pay for their insurance to subsidize irresponsible people who don't—thus taxing the many for the sake of the few, instead of, as FDR preferred to do, taxing the few for the sake of the many.

Besides, Social Security was a relatively straightforward scheme, organized like a social insurance plan even if recipients soon received much more than they had contributed, counting interest. The Rube Goldberg mechanism of Obamacare is much harder to describe. In the first place, there are large tax increases: the Medicare payroll tax rises and is joined by a new 3.8% levy on "unearned income"—for individuals earning more than \$200,000 and families more than \$250,000, as well as sellers of homes who earn capital gains of more than \$250,000 for an individual and \$500,000 for a family. None of these taxes is indexed for inflation. Eventually, so-called Cadillac insurance plans will be hit with a 40% excise tax. In addition, medical-device makers (e.g., manufacturers of wheel chairs, C.T. scanners, heart stents, artificial knees, etc.), drug companies, tanning salons, and insurance companies have to pay special levies.

These enormous revenues will fund the extension of health insurance or Medicaid to the uninsured (actually, about three out of four of them; the rest fall through the cracks), and will subsidize rates for individuals and families whose employers don't provide health coverage. The eligible policies will be sold through a set of State Exchanges set up by the Act in 2014. But then to prevent insurance companies from growing rich from these new revenues, the insurers are sharply limited in their ability to raise rates or exclude coverage. Their rates will be monitored by state and federal authorities who will enforce "medical loss ratios," in effect requiring the companies to spend 80 to 85% of their revenues on claims regardless of the firms' administrative expenses and profits. And instead of offering a range of policies including low-cost "catastrophic" coverage, the companies will be strongly encouraged to sell to everyone comprehensive policies with "minimum coverage standards," mandating a long list of expensive services like maternity care, drug rehabilitation,

and mental health treatment. Finally, insurers will be forced to issue policies to anyone regardless of how sick they are, and will be forbidden to charge sick clients more than healthy ones.

What are the Act's likely consequences? These have been well studied by the clear-sighted conservative critics who've written about Obamacare, and who've elaborated cogent free-market remedies for our health-care problems. We should be grateful, *inter alios*, to John Goodman, David Gratzter, Jeffrey Anderson, James Capretta, Michael Tanner, Grace-Marie Turner, and Sally Pipes (my wife), whose lucid book *The Truth About Obamacare* has just been published. Here I summarize their conclusions.

The new taxes will depress the economy and discourage medical investment and innovation. The subsidies and mandates will sharply increase demand for doctors and medical services. Measures to reduce waste, fraud, and abuse—code words for cutting Medicare and Medicaid

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payments to doctors and hospitals—will, together with higher taxes and regulatory pressures, drive many doctors into early retirement or into another line of work. As demand surges and supply contracts, prices for medical treatment will go up, as will insurance premiums. (The tax increases on drugs, medical devices, and insurance companies will be passed on to consumers.) With government trying desperately to suppress these price spikes, shortages of medical personnel and services will occur, which will lead to long waiting lists, rationed care, and decreasing capital investment. The restrictions on insurance companies will prevent them from earning a reasonable return on investment, which will eventually drive them out of business or into the arms of the federal government. The “public option,” melodramatically sacrificed by the president and the House Democrats to get this “middle-of-the-road” plan, will come back again, only this time not as an option.

In short, it’s very unlikely that Obamacare, as designed, will work or will work for very long without triggering a more radical crisis in American health care. As Obama said after its passage, “this isn’t radical reform.... But it moves us decisively in the right direction.”

A Government of Men

AMONG ITS OTHER EFFECTS, THIS ACT marks a new stage in the decline of constitutional government in America. One sign of this was House Speaker Nancy Pelosi’s remark, “we have to pass the bill so that you can find out what is in it, away from the fog of the controversy.” After shepherding the equally massive financial regulation bill into law, Senator Christopher Dodd was moved to say something very similar: “No one will know until this is actually in place how it works.” In late August, Senator Max Baucus, Finance Committee chairman, chimed in: “I don’t think you want me to waste my time to read every page of the health care bill.... We hire experts.” These statements make both an epistemological and a political point. The first is that these bills are so long, complicated, and unreadable that no one who isn’t an expert can possibly decipher them. That implies, in turn, that no amount or quality of democratic deliberation can clarify them to citizens, and in most cases to legislators, in advance. Indeed, Pelosi suggests that political debate itself, “controversy,” mostly dims public understanding by generating “fog.” The second point is that neither she nor Dodd nor Baucus is especially troubled by this breakdown in democratic accountability. With this kind of legislation, they imply, there’s no choice but to trust the experts—not merely those who patch the law together, but perhaps more importantly

those who implement it. For the truth is that this kind of bill, almost 3,000 pages long, will mean what the bureaucrats say it means.

Or if one wants to be generous, this kind of bill will mean what the bureaucrats, in conjunction or conspiracy with their congressional overseers, say it means. In short, these bills are not so much laws as administrative to-do lists. They are contrivances fit only for the modern liberal state, ambitious to regulate all local and state affairs from the center, which means through a bureaucracy of experts or so-called experts. The result is not a government of laws but of men, albeit men who think themselves wise. You might think that high-ranking officials like Pelosi, Dodd, and Baucus would rebel at becoming appendages of the administrative machine, that, valuing their duties as lawmakers so highly, they would insist on reading and even writing the

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bills themselves. In the past, congressmen did rebel against, as one of them put it, becoming part of “a city council that overlooks the running of the store everyday.” But once the national government assumed, in political scientist John Adams Wettergreen’s phrase, “responsibility for the socio-economic well-being of every American,” then *somebody* had to mind that store, and Congress cut its pattern to its cloth.

Obamacare creates 159 new bureaucracies—programs, commissions, boards, and other agencies. Some are quite small, but almost every one empowers unelected officials to wield power over the future content and provision of health care. There’s the Pregnancy Assistance Fund, the Elder Justice Coordinating Council, and the Cures Acceleration Network, for example. In most cases the Secretary of Health and Human Services is charged with creating these entities—part of the breathtaking power delegated to the secretary under the Act’s provisions. In fact, it’s not so much the length of the Act as its vagueness, incompleteness, and amorphousness that mark it as a new-fangled administrative statute, granting power to a few to rule according to their wisdom and with very little reference to

the many’s consent. Which is to say, the law’s meaning is deliberately indeterminate, left vague so as to give maximum discretion to the unholy trinity of bureaucrats, congressional staffers, and private sector “stakeholders” who will flesh out the Act with hundreds, probably thousands, of pages of regulations, and then amend those as needed later on. When favored interests and constituencies want to appeal a regulatory decision, they will always find a helpful congressman ready to intervene on their behalf with the very bureaucracy he helped create.

This new kind of statute—one hates to call it law—is not meant to be “a settled, standing rule,” as John Locke defined law. On the contrary, it is meant permanently to be in flux, always developing and subject to renegotiation. It is law constantly suffused with wisdom, albeit constantly changing wisdom. It is what passes for law under a “living Constitution.”

In fact, Obamacare is an excellent test case for how the original U.S. Constitution is faring against the living Constitution. One implication of the latter is that the difference between constitutional and statute law tends to break down; the capital-C Constitution, the framework and limits of government, dissolves into the small-c constitution, how we govern ourselves nowadays. According to the living Constitution Obamacare is perfectly constitutional. The only thing emphatically unconstitutional would be turning back the clock—in this case, trying to repeal the collectivization of health care.

But conservatives are challenging this one-way liberal ratchet by mounting vigorous attacks on the statute’s constitutionality, by the standards of the genuine Constitution. A score of state attorneys general has sued claiming that Obamacare’s individual mandate—requiring everyone to purchase health insurance, under penalty of law—exceeds Congress’s power under the Commerce Clause. The argument, pioneered by libertarian law professor Randy Barnett, insists that never before has Congress asserted a power under the Commerce Clause to compel citizens to purchase a product from a private company. It’s a good argument; but will Justice Anthony Kennedy buy it? Barnett himself sounds slightly pessimistic. Another very smart libertarian law professor, Richard A. Epstein, contends that Obamacare violates the Fifth Amendment’s Takings and Due Process Clauses because it denies insurance companies a reasonable rate of return on their investments. Ingenious, but again it will have to persuade a Court that is divided down the middle about first principles.

Obamacare is vulnerable to other originalist objections as well. The Act is rife with unconstitutional delegations of legislative power to executive agencies and, most flagrantly, to

the Secretary of HHS. But the problem with all these well-founded legal objections is that the Supreme Court has four-and-a-half votes, on average, for the living Constitution, and the same number for the principled Constitution, however imperfectly understood. That last caveat is necessary because conservatives on the Court disagree among themselves on whether and to what extent “judicial restraint” requires them to defer to Congress in its exercise of regulatory authority over the economy. Politically, a loss in the Court would be a major setback for the repeal effort because a lot of Republican and Democratic congressmen—and many American citizens—have acquired the bad habit of reflexively deferring to the Court on questions of constitutionality. Thomas Jefferson and Abraham Lincoln, among others, disagreed with this unthinking deference—but don’t expect to hear much about them in the coming political season.

American Character

IT WOULD BE MUCH BETTER FOR THE REPUBLIC, therefore, if the people, acting through their elected representatives, repudiated Obamacare rather than trusting the Court to do it. A popular repudiation would not only have greater and more enduring political impact, it would reassert the people’s right to defend their own Constitution against the corruptions of big government and its “stakeholders.”

The question is whether the public has the character, the love of freedom, to assert itself justly and intelligently in this predicament. For President Obama’s campaign to transform the country is only the latest installment in modern liberalism’s long-running project to change America by changing Americans’ relation to their government. For a century, the Left has argued that the old Constitution was obsolescent, an 18th-century artifact needing thorough modernization, which liberals were happy to supply. Key to its reform was changing the scholarly, and eventually the public, interpretation of its purpose: not to limit government, to separate powers, and to keep the national government devoted to national affairs, but to liberate government so it could grow easily, to combine powers so that experts could direct government more efficiently to good purposes, and to expand the universe of good purposes by urging the national government to take responsibility for state and local affairs all the way down to the socio-economic well-being of every American.

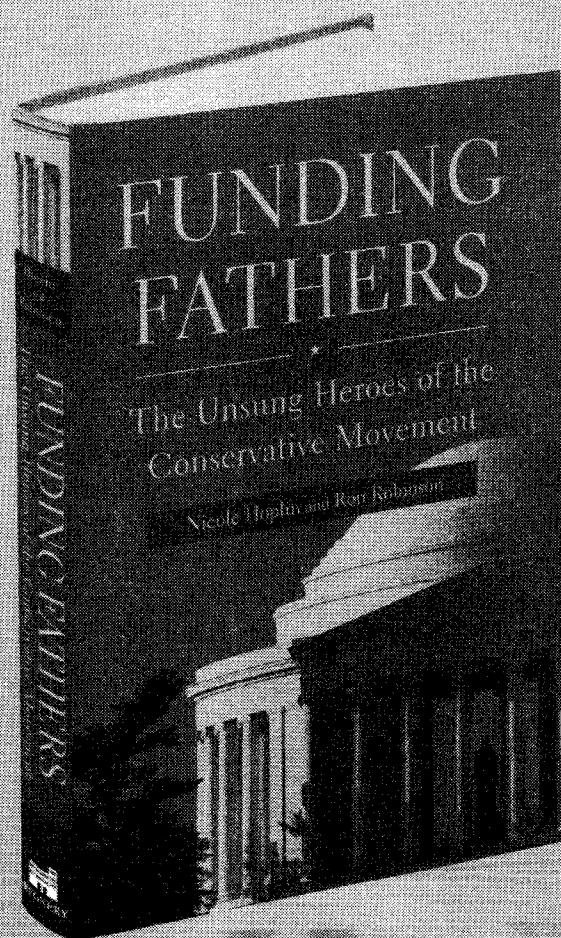
Behind this changed view of government was a new view of rights. The American Founders held that human rights come from God and nature, and carried with them a religious and natural

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obligation to be used morally, i.e., for the sake of human safety and happiness. We needed to form government to secure our rights, but we needed to be vigilant lest government endanger those very rights. Freedom never strayed far from the virtues essential to its purpose and to its defense.

Most liberals scorned this account as unhistorical or too individualistic or not sufficiently socialistic, or some combination of those faults. To supersede it they recommended a more historical and social narrative. History is the story of the evolving sense of human dignity, liberals like Woodrow Wilson argued, as recognized in and by the cultures and reflected in the governments of different ages. Rights are thus a cultural or historical product, not something natural or divine—dependent upon the state of society and government, rather than always potentially opposed to them.

From these premises American liberals deduced a new kind of rights that over the past 80 years have come to dominate our politics. Entitlement rights, as we now call them, are socioeconomic benefits promised by government to broad classes of people. They include the rights to a job, to a decent home, and to a good education that FDR spoke of in his proposal for a “second Bill of Rights,” and the right to “adequate medical care” that’s at the heart of Obamacare. The logic behind entitlements is that in return for ceding greater power to government, government grants more rights to the people (or to favored groups: Obamacare sets up many offices and commissions directing special assistance to women, American Indians, and other “under-represented” minorities).

At the core of the “dependency” problem of Big Government is this logic. There is nothing to fear from Big Government because the bigger it gets, the more rights we get. Since our rights are dependent on government, why shouldn’t we be? That attitude ultimately undermines individual character and self-respect, and in America this is a chronic problem. Obamacare would make it acute.

Despite what Obama often says, the alternative to all-provident government is not selfish indifference or “the Social Darwinist idea.” As observers from Alexis de Tocqueville to Marvin Olasky have pointed out, America used to have a vibrant civil society that teemed with churches, mutual insurance funds, and other voluntary associations that helped Americans take care of themselves and of one another. In some ways we still do, of course, though Big Government has supplanted more and more of these functions. State and local governments provided another indispensable part of the social safety net. Even the progressives’ *bête noire*, the old-fashioned political machines like Tammany Hall, performed important welfare functions. This was never a “just downright mean” country. Though it lifted the safety net to the federal level, Social Security in several ways harked back to the older view of American character. It rejected the spirit of the dole and tried to avoid the entitlement mentality by insisting it was an insurance program. What’s more, its bureaucracy was devoted to cutting checks on a regular basis, not to ruling one-sixth of the national economy and dictating how recipients had to spend their benefits.

Far from doing no harm, or even decisively improving American character—fixing the purported hole in our soul—Obamacare would almost certainly degrade it, in several ways.

On the moral side, the entitlement debate usually concerns the damage done when a people gets hooked on an endless supply of free goodies. Though the president’s health care plan is about turning health care into just such a narcotic, it is also about the unpleasant business of coming down from the entitlement high. From the beginning, he emphasized the need to reduce the share of GDP flowing to doctors, hospitals, drug companies, and insurers. His strongest argument for attending to the problem immediately was that the rising cost of health care would bankrupt the government and the country. His chief rhetorical

difficulty was precisely to convey both messages—that he was turning the “right” to health care into an entitlement for everyone; and that we had to stop spending so much on health care—without confusing his audience or contradicting himself. He never quite succeeded. The majority couldn’t understand how even Barack Obama could expand access to health care and contract it at the same time.

In this respect, the debate was a harbinger of many more to come about the costs of the welfare state. It exposed the dirty little secret of entitlement rights, that what the government giveth, the government taketh away.

The “right” to health care means the right to limit health care. The right to “adequate medical care” implies that no one may have more than adequate (that is, excellent) care, until the “least advantaged” among us, to use John Rawls’s term, have received what the government deems adequate care. Indeed, the “right” to health care may go further than that: to the contemporary liberal, doesn’t the coexistence of adequate and excellent care imply that the Americans stuck with the former are second-class citizens?

Obamacare inclines America in the long run to some combination of the following: the sullen acceptance of government-distributed scarcity, envy of people who have more than their fair share of health care, and growing alienation from a system that tries to play God but does so without wisdom, justice, or mercy. These toxic sentiments will be familiar to anyone who has lived under socialism, for they are its concomitants. When added to the caustic effects of dependency on government, they amount to a prescription for an American character increasingly unfit for self-government.

As Ronald Reagan once warned, you can’t socialize the doctors without also socializing the patients.

Charles R. Kesler is editor of the Claremont Review of Books.

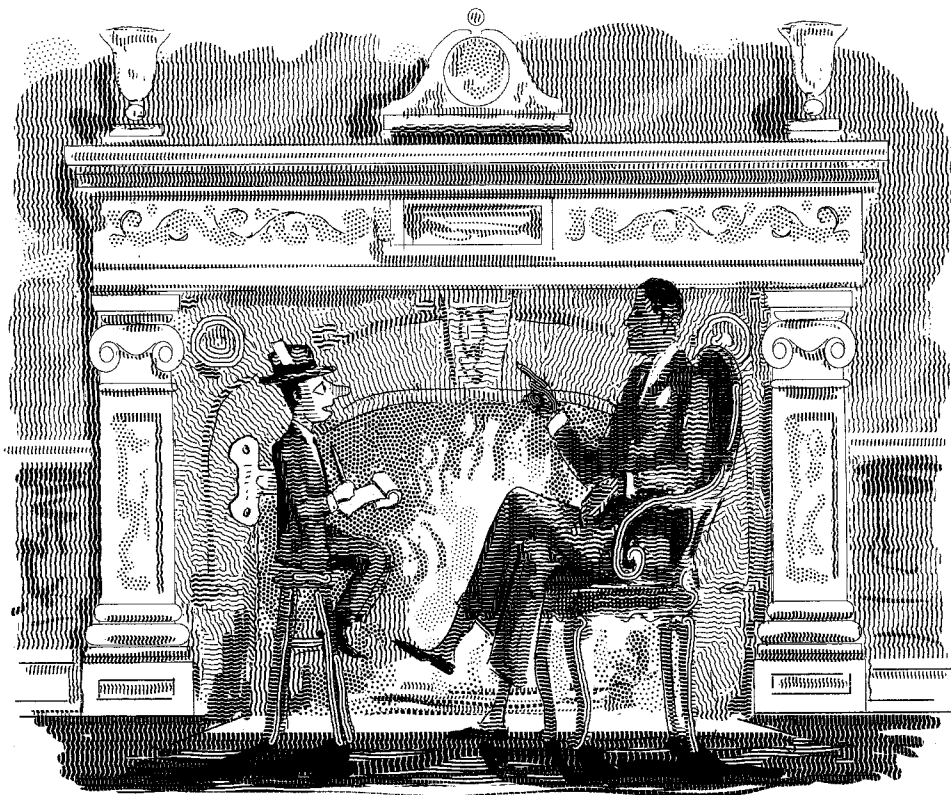
Book Review by Byron York

TEDDY WHITE'S GHOST

Renegade: The Making of a President, by Richard Wolffe.
Three Rivers Press, 368 pages, \$16

The Battle for America 2008: The Story of an Extraordinary Election,
by Dan Balz and Haynes Johnson. Viking, 432 pages, \$29.95

Game Change: Obama and the Clintons, McCain and Palin, and the Race of a Lifetime,
by John Heilemann and Mark Halperin. HarperCollins, 464 pages, \$27.99



A COUPLE OF DAYS AFTER DELIVERING HIS now-famous speech on race in Philadelphia on March 18, 2008, Barack Obama gave an interview to one of his favorite campaign reporters, *Newsweek's* Richard Wolffe. Wolffe was doing a biographical piece about Obama's childhood in Indonesia. "Who are you?" he asked Obama. "People want to know who you are."

It was a perfectly reasonable question—it still is, for that matter—but Obama deftly changed the subject. "Hasn't this been a fascinating campaign?" he said to Wolffe. "If I wasn't in this campaign, I would love to follow this election as an observer. Why can't you write a book about it? Like Theodore White. Those are great books." Wolffe immediately pooh-poohed the notion. There's so much minute-by-minute coverage of campaigns these days that people don't want to read about them afterward, he told Obama. In fact, Wolffe was amazed Obama even brought it

up. "How archaic," he thought. "The poor man doesn't understand the media." Didn't he know that the days of those old Teddy White making-of-a-president books are long gone?

Still, Wolffe thought about it. And he thought about it more when the poor man himself sweetened the deal. "I will give you access," Obama told Wolffe. "You'll get more access than anyone else." It wasn't long before Wolffe was hard at work on what would become *Renegade: The Making of a President*.

It is conventional wisdom in the world of political reporting that White-style campaign books are dead. And yet it seems as if everybody who covered the last campaign decided to write one. Indeed, White's ghost lives on in *The Battle for America 2008: The Story of an Extraordinary Election*, by Dan Balz and Haynes Johnson; *Game Change*, by John Heilemann and Mark Halperin; and Wolffe's *Renegade*.

So the question is not whether campaign books are dead. The question is what type of book can succeed, both journalistically and financially, in a world dominated by the Drudge Report, Twitter, Politico, the Note, First Read, Hotline, talk radio, and what Drudge would call ABCCBSNBCCNNFOXMSNBC. With so much real-time reporting on the campaign—Wolffe's original instinct was entirely correct—what kind of after-the-fact account is still valuable at this late date to the person who followed the campaign with even moderate interest? The campaign book is not on-the-news reporting, and it's not a scholarly work that takes years to gestate. It's got to be something else.

Going through the volumes here, it's clear that the campaign book is in a period of transition. Balz and Johnson have written the old-style story of the 2008 campaign. Wolffe has produced an inside report based in large part on his own

relationship with Obama. And Heilemann and Halperin have produced a super-inside account, taking readers farther inside political campaigns than most have ever been.

THE AUTHORS OF *GAME CHANGE*, New York magazine's national political correspondent and Time magazine's editor-at-large, realize that nobody cares about behind-the-scenes stories anymore. News reports take us behind the scenes all the time. No, to win the campaign book race, the authors have to take readers inside the brains of the major players in a campaign. We have to know their very thoughts. (The voters', not so much; super-inside journalists don't seem as interested in them.) Like it or not, *Game Change* is the campaign book of the next few campaigns. Given its success—it zoomed to the top of the New York Times bestseller list—there are surely more such books on the way, including one by Heilemann and Halperin, who have signed a \$5 million contract for a 2012 book. Look for lots of imitations from authors who would like to get in on the inside action.

Game Change begins in the brain—and the bed—of Barack Obama. "Barack Obama jerked bolt upright in bed at three o'clock in the morning," Heilemann and Halperin write. "He found himself wide awake, heart pounding, consumed by a thought at once electric and daunting: *I might win this thing.*"

In *Game Change*, when you see italics, you know you're going inside; Heilemann and Halperin reserve italics for their juiciest deep-cortex revelations. For example, when Obama first read in *Rolling Stone* a report on Reverend Jeremiah Wright's sermons, the authors confide, "Staring at Wright's incendiary words on the page, Obama thought, *This doesn't sound real good.*" When advisor David Axelrod showed Obama a video of a Democratic debate performance, "[Obama] grimaced. *It's worse than I thought* ran through his mind." And on Obama's hesitance to initiate a rapprochement with Bill Clinton: "I'd be happy to call if it would make a difference," Obama thought. *But why waste my time if the guy's just going to keep crapping all over me?*"

Hillary Clinton had italicized innermost thoughts, too. "I don't have anything to apologize for," she thought, write the authors about Clinton's disinclination to apologize for her vote to authorize the Iraq war. "You want me to apologize for the fact that the president is an idiot?" (The president was George W. Bush.) After receiving a briefing on her campaign's finances, Clinton thought, "Where in God's name did all the money go? *This campaign is a money pit.*"

And don't forget John Edwards, who is more awful in *Game Change* than in the *National*

Enquirer. Deeply disappointed by his distant second-place finish in Iowa, Edwards balked at trying to spin it as good news: "When he first learned the outcome from his number crunchers," Heilemann and Halperin write, "what he thought was, *Well, we're f---d.*" Ask yourself: were truer words ever spoken?

Heilemann and Halperin have fewer italicized quotes from the brains of Republican candidates. That makes sense. The authors are certainly more sympathetic to Democrats than Republicans in their day-to-day reporting, so it's no surprise that they would be more on the Democratic wavelength. Still, top McCain campaign aides were happy to trash Sarah Palin for the authors. But you've heard that before.

With all its inside stuff, *Game Change* is an undeniably good read, the best account of the Clinton-Obama battle that has been written. Its gossip feel has bothered some observers, but if the authors are debasing the campaign-book genre, they're debasing it in an enjoyable way. Given all that, the odd thing is why everyone got so agitated about the book in the first place. When *Game Change* was published, it caused a sensation in the political village and virtually took over cable TV. Yet today, try to remember what all the fuss was about and very few things come to mind. Most of all, it was this: the authors quoted Senate Majority Leader Harry Reid discussing Obama's political advantages as a "light-skinned" African-American "with no Negro dialect, unless he wanted to have one." That was big news at the time, leading Reid to apologize and Obama to grant absolution. But when read in the context of the book, the "Negro dialect" remark is a throwaway; it comes and goes with no narrative importance. It just got everybody excited for a while—and helped shoot *Game Change* up the bestseller lists.

RICHARD WOLFFE'S *RENEGADE* IS A DIFFERENT sort of inside account. As a reporter, Wolffe was deeply in the tank for Obama. As an author, he has produced the story Obama wanted him to tell. ("Based on Exclusive Interviews with Barack Obama," says the cover.) Wolffe's account is an adoring tale of an improbable journey to the White House. (Obama loves to use the word "improbable" about himself, because it both emphasizes his longshot status and suggests the racial issue, without saying either.)

The problem is, the candidate spun Wolffe non-stop, 24/7. Take this selection from one of Obama's interviews with the author:

"This is a very improbable candidacy, it's fair to say," Obama told me, slowing his words to measure every phrase with precision. "And for me to win, it's important

that those qualities that got me into politics in the first place, those values that led me to become a community organizer or a civil rights attorney, a passion for justice and fairness, that those attributes comes through."

Where else can you find hard-hitting, deep-digging stuff like that? The Obama in *Renegade* is brilliant, cool, committed, and, of course, poised to make history. The people around him are sharp, too, even while lacking the candidate's star quality. David Plouffe is a "steel-edged operative." David Axelrod is a "razor-sharp mind in a shambling body."

Every now and then in *Renegade*, a moment arrives when it seems Obama might reveal something, some tiny thing, about himself. "You know, I actually believe my own bullshit," Obama told Wolffe with a smile. But what for a nanosecond seemed like candor—would the candidate actually examine his own B.S.?—was just another talking point, as he explained to Wolffe that he truly wanted to bring change to America for better health care, for better schools, and especially for "the kid on the streets."

Renegade sold nowhere near as many copies as *Game Change*, but it did have one big fan: Barack Obama. The president liked it so much he has given Wolffe the run of the White House for a second volume. The access-hungry White House press has grumbled about that, since Wolffe has left *Newsweek* and now works in public relations (in addition to appearing on left-wing provocateur Keith Olbermann's program on MSNBC). But the resident of the Oval Office can do what he wants, so look for a *Renegade-Goes-to-the-White-House* book soon. And don't forget the TV show; in late April, a London-based production company announced it was developing a miniseries based on *Renegade*.

IT IS NOT SURPRISING TO LEARN THAT Obama, who has written two books about himself, is fond of encouraging others to write books about himself. After playing literary agent for Wolffe, he tried again with Dan Balz and Haynes Johnson, authors of *The Battle for America 2008: The Story of an Extraordinary Election*. "I think the whole election was a novel," he told Balz and Johnson.

If you think about it, you've got the first African-American with a chance at the seat, first woman with a chance at the seat. You've got this aging—scratch 'aging,' because I don't want to offend John—but I mean you've got this war hero. You have a whole cast of characters at the beginning who are fascinating in their own right.



Obama quickly added a list of supporting characters: Sarah Palin, John Edwards, Mike Huckabee, Reverend Wright, Bill Ayers, Joe the Plumber. "It's a pretty fascinating slice of Americana," he said. And since this interview occurred during the transition, after Obama had won the big contest, there would of course be no doubt who would be the star of the show.

If the president-elect was hoping that Balz or Johnson might crank out the great campaign novel of 2008, he was sadly mistaken. There are no great novels entitled *The Battle for America 2008: The Story of an Extraordinary Election*. But the two veteran *Washington Post* journalists did produce a solid, well-reported, and perceptive account of the campaign that, while it lacks *Game Change*'s flash, tells the 2008 story in a more comprehensive way than any other book.

They got some good stuff, too. For example, the authors show us the striking, and ultimately decisive, differences between the Obama and Clinton camps in late 2006, when each was gearing up for a White House run. Balz and Johnson obtained a memo Axelrod wrote to Obama in November 2006 which pushed hard to get Obama to realize that he couldn't just waltz through a presidential campaign. Facing the Clinton machine, he would be hit with a lot of questions he would rather ignore. "How many times did you use cocaine and marijuana?" Axelrod asked. "When did you stop? Who did you buy it from? Did you sell drugs? Have you broken any other laws?" There would be a lot of punches aimed at a candidate whose ability to take a punch was entirely unknown. "When the largely irrelevant Alan Keyes attacked you, you flinched," Axelrod wrote Obama. He'd have to do better if he wanted to beat Clinton.

Contrast that to the memo that Balz and Johnson include (first published in the *Atlantic*), sent by adviser Mark Penn to Clinton in December of the same year. "We have incredible strengths," Penn wrote. "We have the highest levels of early enthusiasm for any Democratic candidate in modern history—people don't just like Hillary Clinton, they love her." Penn's company, of course, was drawing zillions of dollars from Clinton's campaign, and for advice that wasn't nearly as sharp as Axelrod's.

Like *Game Change*, *The Battle for America 2008* tilts toward Democrats; the section on their primary race is about two-and-a-half times as long as the account of the Republicans. Of course, the Democratic race was longer and harder-fought, but even so, the book seems a bit more in tune with Democrats than Republicans. Still, Balz and Johnson have produced a well-done book that should have been more successful than it was. If only they had gotten someone to utter the word "Negro."...

SHORTLY BEFORE WRITING THIS REVIEW, I asked a very close aide to John McCain whether McCain or the aide had read these or other campaign books. "Neither he nor I have read any of the books," the aide responded. "Remember on the campaign—he said books will be written and [will conclude, predictably but hastily, that] the campaign that wins will be the best-run campaign ever, and the campaign that loses will be the worst." It's true. In many accounts, the Obama campaign comes out looking like the greatest thing since—well, ever. That's due to a number of factors. First, the campaign was in fact good. Second, some in the press virtually worshipped Obama. Third, reporters wanted to stay on good terms with Obama sources once

they moved to Washington. And fourth, the immutable law of post-defeat campaign bitterness and recrimination kicked in, big time.

When a campaign succeeds and everybody heads to the White House, there is not a lot to be angry and depressed about, and even if there is, staffers are less likely to trash campaign colleagues who have gone on to become White House colleagues. But when a campaign loses, you could get poked in the eye from all the pointing fingers. Sources are happy to tell reporters everything about the campaign, especially if it shows what idiots their colleagues were.

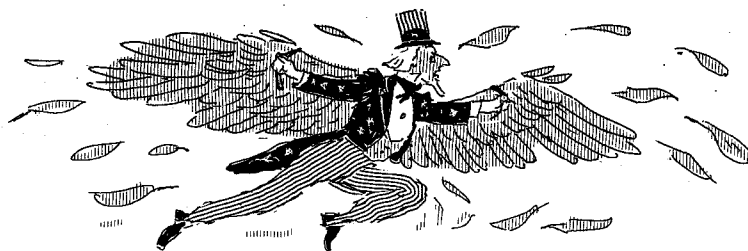
By and large, it's the anger and bitterness that make for the most interesting stuff in post-campaign accounts. *Game Change*, for instance, would be far, far less interesting were it not for all the unhappiness emanating from the Clinton campaign. What Heilemann and Halperin were able to do was dig a little deeper into the anger than other authors.

So what does the future hold for the campaign book? It's commonplace to say that 2008 was the race of a lifetime. That's true—it would be pretty hard to top. But there will be a lot of publishing money out there for a super-inside account of the 2012 campaign, maybe by Heilemann and Halperin, maybe by somebody else. The problem is, what if the race is a yawner? A super-inside account of a not-so-momentous election won't capture anyone's imagination—or earn back a \$5 million advance. In the end, it might turn out that 2008 breathed new, but fleeting, life into the campaign book simply because the race was so riveting. The next time around could remind us that Teddy White is still dead.

Byron York is the chief political correspondent for the Washington Examiner.

FLIGHTS OF FANCY

The Icarus Syndrome: A History of American Hubris, by Peter Beinart.
HarperCollins, 496 pages, \$27.99



PETER BEINART HAS TERRIBLE TIMING. One of the iconoclastic young things the *New Republic* generates with regularity, he ranks among the handful of left-of-center thinkers like Paul Berman and Michael Walzer who engage in self-criticism of liberalism. In the aftermath of John Kerry's loss in the 2004 election, Beinart took to the pages of the *New Republic*, where he was then editor, with a long essay entitled "A Fighting Faith" that connected Kerry's haplessness with liberalism's broader fecklessness about foreign policy. Unfortunately, the Democratic Party was by then in thrall to MoveOn.org and Michael Moore, heirs of Henry Wallace, who minimized—when they did not outright deny—the significance of the jihadist threat to the Western world. Liberals need to wrest the party back, Beinart argued, like the early Cold War liberals had done in the late 1940s:

Islamist totalitarianism—like Soviet totalitarianism before it—threatens the United States and the aspirations of millions across the world. And, as long as that threat remains, defeating it must be liberalism's north star. Methods for defeating totalitarian Islam are a legitimate topic of internal liberal debate. But the centrality of the effort is not. The recognition that liberals face an external enemy more grave, and more illiberal, than George W. Bush should be the litmus test of a decent left.

Today, the war on terrorism is partially obscured by the war in Iraq, which has made liberals cynical about the purposes of U.S. power. But, even if Iraq is Vietnam, it no more obviates the war on terrorism than Vietnam obviated the battle against communism. Global jihad will be with us long after American troops stop dying in Falluja and Mosul. And thus, liberalism will rise or fall on whether it can become, again, what [Arthur] Schlesinger called "a fighting faith."

The article created a sensation and naturally produced furious argument on the Left along

with a book contract for Beinart. Like many in the *New Republic* circle, he supported the Iraq War at the outset, but by the time his book *The Good Fight: Why Liberals—and Only Liberals—Can Win the War on Terror and Make America Great Again* arrived in 2008, Beinart along with a majority of Americans had soured on the Iraq War. Although *The Good Fight* repeated and deepened his critique of the Left's indifference to radical Islam and congenital aversion to the use of American power, his overall argument was necessarily more defensive.

Now a senior fellow with the Council on Foreign Relations and the New America Foundation, Beinart has doubled-down with *The Icarus Syndrome*, tracing the roots of the Iraq mistake to a generation-skipping hubris that has produced an epic cycle of disastrous foreign policy overreach. Once again his timing is off. The Iraq War has turned around, and doesn't look as hopeless as it did four years ago. In his new book he notes that the Korean War was very unpopular in its day, but that public opinion reversed itself as the conflict receded into the rear-view mirror. The same dynamic may be starting to play out over Iraq, perhaps setting up the vindication of David Brooks's prediction that 25 years from now few will argue that the Iraq War wasn't the right thing to do. Now it is the Afghan War—the one Barack Obama and other liberals said was *necessary*—that is looking doubtful and hopelessly open-ended. Beinart criticizes Iraq's disproportionate, unsustainable cost, but has less to say about Afghanistan—where every year we are spending more than that sorry nation's total GDP.

THE ICARUS SYNDROME BEGINS WITH THE elderly and frail Arthur Schlesinger asking Beinart over lunch, "Why did your generation support this [Iraq] war?" The rest of the book can be read as Beinart's mea culpa. As the title suggests, he applies the classical myth of Icarus to U.S. foreign policy over the past century, arguing that American power and

success led us to soar ever higher, but with the same result—burning our wings and crashing back to earth, first in World War I, then Vietnam, and now in Iraq. But the United States doesn't merely overestimate its power and mastery—a common mistake of empires since the beginning of time. According to the author, American hubris stems from a particular post-Enlightenment combination of naïveté about human nature, and overconfidence in pure reason. His book is a gloss on Santayana's cliché about those who forget the past being doomed to repeat it; or, to be more charitable, the volume is a restatement of Paul Kennedy's *The Rise and Fall of Great Powers* (1987) or even Schlesinger's *Cycles of American History* (1986). Therein lies both the strength and weakness of its argument.

Much of *The Icarus Syndrome* is a well-written overview of 20th- and early 21st-century American foreign policy, and especially of "the three moments in the last century when a group of leaders and thinkers found themselves in possession of wings.... Politicians and intellectuals took ideas that had proved successful in certain, limited circumstances and expanded them into grand doctrines, applicable always and everywhere." Beinart's mostly conventional narrative is punctuated here and there with a telling detail or pungent judgment. In explaining Franklin Roosevelt's departure from Wilsonianism, for example, Beinart notes FDR's "blood pressure spiked to 240 over 130" while watching the gushing 1944 movie *Wilson*. (Roosevelt watched the movie with Winston Churchill—another Wilson critic—at the Quebec conference in 1944. The prime minister's private secretary Jock Colville wrote in his diary that Churchill had watched "a shockingly bad film chosen by the President. The PM walked out halfway through which, on the merits of the film, was understandable, but which seemed bad manners to the President.") Although Beinart's portrait of Woodrow Wilson is suitably lacerating, his perception of the broader phenomenon of Progressivism is crabbed, deferring to recent historiography that sees Progressivism as "a swarm of impulses and interests, often colliding with each other" and summed up as "faith in human reason."

BEINART THINKS THE TRUMAN DOCTRINE and the ensuing Korean War came close to being another Icarus-like disaster for America, rescued only by Dwight Eisenhower's calm good sense. Here, in Beinart's praise of Eisenhower and later of Ronald Reagan, we encounter a major difficulty with his overall argument. Beinart is not the first center-left thinker to embrace Eisenhower retrospectively, a process that has been going on at least since Murray Kempton in the late 1960s. Nor does Beinart airbrush the fact that liberals in the 1950s held Eisenhower in contempt. But he doesn't ask why liberal astuteness is good only in hindsight, and not contemporaneously. Won't the next statesmanlike conservative to arrive on the scene enjoy the same kind of liberal contempt that Eisenhower and Reagan did? There's a blind spot here somewhere, and Beinart does not acknowledge, much less investigate it.

A vital clue comes in his treatment of George H.W. Bush, whom he compares to Eisenhower and praises for not expanding the first Gulf War beyond its initial aim of ousting Saddam Hussein from Kuwait: "His signature word—it became a running joke on *Saturday Night Live*—was *prudence*, which Merriam-Webster defines as 'caution or circumspection as to danger or risk.'" This lightweight dictionary definition is all we hear about statesmanly prudence, though Beinart's narrative provides the perfect set-up for serious reflection on the difficulty of matching up a hierarchy of ends to a hierarchy of means.

His criticisms of pure reason and of naïve faith in human nature's goodness and plasticity questions, implicitly, modern liberalism's central pillar. The eclipse of prudence by scientific, idealistic politics was a defining feature of Progressive statecraft, and it remains so for modern liberalism today—at least on the domestic scene. In making an elegant call for greater circumspection about government's mastery over all things, Beinart's skepticism stops at the water's edge. Why not apply the lessons of hubris—of overreaching and presuming a greater command of flawed human nature than is realistically possible—to, say, health care reform, or social policy generally?

"The hubris of dominance," Beinart writes, "like the hubris of reason and the hubris of toughness before it, had relied on faith in political authority." But isn't faith in political authority the central premise of domestic liberalism? Beinart doesn't contemplate that the same conceit that leads to foreign debacles is at work in domestic affairs, with similar results. At one point late in the book he offers up the throw-

away line, "As our welfare state has withered...." This is a worthy nominee for one of those "sentences-we-didn't-finish" contests, because there is no way the conclusion to this sentence can be sensible. What can Beinart be thinking, even if this was written before Congress passed Obamacare? The U.S. spends more per capita on social programs than honest-to-God Scandinavian welfare states.

Beinart has all the pieces of the story in front of him, but he only assembles half the puzzle. He criticizes the conceit that we could remake Vietnam in our own image because, as Arthur Schlesinger said, "We thought for a moment that the world was plastic and the future unlimited." (Beinart neglects to mention that Schlesinger supported the Vietnam War until the late 1960s, having lost that healthy sense of limits he possessed in the 1940s.) Beinart also raps the utopianism of Walt Rostow, who thought "American society was 'now within sight of solutions to the range of issues which have dominated political life since 1865.'"

But *The Icarus Syndrome* tacitly perpetuates (by omission) the liberal fiction that treats the twin wars of the '60s—the War in Vietnam and the War on Poverty—as separate and mutually exclusive phenomena, when in fact they need to be understood as twin expressions of the same impulse to political mastery, which failed for the same reason. Communism in Vietnam and racial strife and poverty at home were considered problems of social science, to be remedied with similar exertions of American know-how and willpower. The Vietnam War, the planners thought, would be over long before poverty was completely eliminated (Sargent Shriver said the latter would happen by 1976). Vietnam and Great Society policies were designed by many of the same people, rotating their brilliance from one bureau to another. One assistant secretary of defense said that "the new [social science] knowledge can literally solve any problem." Adam Yarmolinsky, another defense official turned anti-poverty planner, thought their efforts would lead the way to "the rebuilding of cities, not only in the United States but throughout the world."

LIBERALISM WAS SHAKEN, IF NOT TRAUMATIZED, by the failure of the Vietnam War; a few liberals had their whole faith shaken to the core. Daniel Patrick Moynihan acknowledged in 1973 that "[m]ost liberals had ended the 1960s rather ashamed of the beliefs they had held at the beginning of the decade." A new generation of what Beinart calls "post-Cold War" liberals, chastened by the Viet-

nam experience the same way FDR's cohort had been chastened by World War I, arose to pursue limited uses of American power, such as Bill Clinton's humanitarian interventions in the Balkans. But between Clinton's minor excursions and the first Gulf War, the "hubris bubble" swelled again, just as it had after World War II, sweeping along a younger liberal cohort, including Beinart. He admits now that our obligations exceed our power, that foreign policy untethered to a realistic calculation of interests converts promoting American values into an infinite project. This realization, he argues, "should make us pause and pause and pause again before unilaterally invading tyrannical nations on the assumption that their people will thank us for it."

I doubt Beinart has much to worry about on that score, from the Obama Administration or its likely successors. The Iraq War Syndrome may prove more powerful and long-lasting than the Vietnam Syndrome, which cast a shadow of self-doubt over American power for 20 years. But after an engaging history of American overreach, Beinart's ending disappoints: he essentially revives George McGovern's 1972 slogan "Come home, America." President Obama needs to redefine our national faith, advises Beinart, by

re-directing American can-do-ism inward.... In politics, as in life, we should be most ambitious in those spheres where we have the most power. There are limits to the federal government's capacities at home as well, of course; limits of both money and knowledge. But we know better how to rebuild New Orleans than how to rebuild Afghanistan, more about how to regulate the U.S. financial system than how to establish one in Iraq.

Peter Beinart's book does not go deep enough into the modern liberal soul. Though liberals may have put away their wings in foreign affairs, they are ever ready to soar higher at home, and he thinks our foreign policy travails are reason to cheer them on. I'll await his take, several years from now, on the "Mission Accomplished" banner that was implicitly hung at the signing ceremony for health care reform.

Steven F. Hayward is F.K. Weyerhaeuser Fellow at the American Enterprise Institute, senior fellow of the Pacific Research Institute, and author, most recently, of *The Age of Reagan: The Conservative Counter-Revolution, 1980–1989* (Crown Forum).

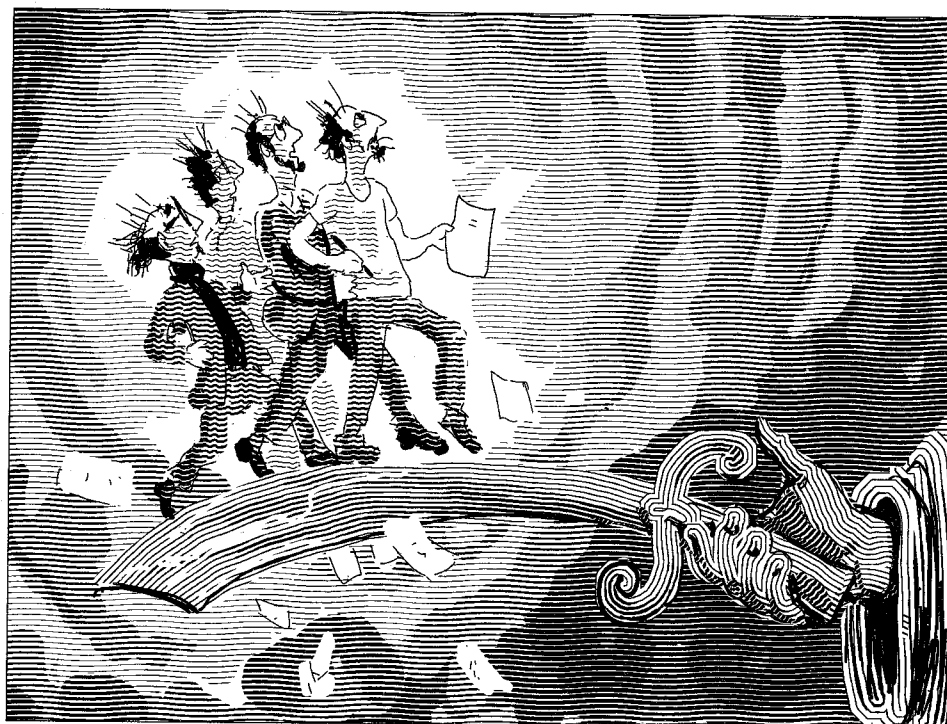


Book Review by Denis Boyles

SPINELESS INTELLECTUALS

The Flight of the Intellectuals, by Paul Berman.
Melville House, 299 pages, \$26

The New Vichy Syndrome: Why European Intellectuals Surrender to Barbarism,
by Theodore Dalrymple. Encounter Books, 163 pages, \$23.95



PAUL BERMAN, A WRITER-IN-RESIDENCE AT New York University's Carter Journalism Institute, is not only an intellectual, he is a certified genius. (His credential was issued in the form of a grant from the MacArthur Foundation.) An often insightful liberal, he is justifiably alarmed at the uncritical acceptance extended by other intellectuals to Tariq Ramadan, a Muslim leader who has tried very hard to disguise his jihadist sympathies behind his own curtain of intellectuality. Ramadan is currently His Highness Sheikh Hamad Bin Khalifa Al Thani Professor of Contemporary Islamic Studies in the Faculty of Oriental Studies at Oxford.

The target of Berman's immediate frustration, however, is yet another lofty journalist, Ian Buruma, whose intellectual ticket was punched by the Praemium Erasmianum Foundation. In 2008, they gave him €150,000 and an "adornment"—a little scarf-type garment on which is printed a platitude by the great Dutch polymath, Erasmus, after whom Buruma's prize is named. The Erasmus, like the Nobel and the Pulitzer—not to mention the MacArthur—has been tarnished by selection committees of serious-minded (which in this case means like-minded) cultural brokers bent on chic relevancy.

Previous Erasmus recipients, for example, include a puppeteer and the "people of Austria."

Berman *versus* Ramadan and Buruma—three liberal cats in a sack, the product of which is *The Flight of the Intellectuals*, a very lively book built on something with which media critics will identify: outrage at the failure to report skeptically and skillfully on a figure or subject with which many on the Left feel an instinctive, if uninformed, sympathy.

Berman's vehicle is a very stylish fisking of a profile of Ramadan written in 2007 by Buruma for the *New York Times Magazine*. The book considers similar shortcomings in other journalists, notably the ubiquitous Timothy Garton Ash, but Buruma's bland acceptance of Ramadan's self-serving assertions (along with his embarrassingly disingenuous attacks on Ayaan Hirsi Ali) seems to irritate Berman most. Berman is scrupulous and fair; his fact-checking subjects Buruma to the kind of editorial scrutiny that journalists should anticipate, under normal circumstances.

But the *Times's* Sunday magazine is an anomalous creature. Put simply, its mission is to demonstrate its own influence. The sops to readers and advertisers are ephemeral, whimsi-

cal, or trite—clothes, crosswords, and columns of flimsy pretension. Its primary role is to be *important*—if possible, even more important than its parent newspaper. It attempts this by validating the instincts of its readers, who also aspire to importance, while mirroring a set of shared Leftish assumptions. Buruma is used often by the magazine to write stories that do just that.

Berman is an orthodox liberal, what *Times* editors used to like to call a "serious person." He has carved out a small but honorable niche as a whistleblower on his own side. His recent books, *Terror and Liberalism* (2003) and *Power and the Idealists* (2005), questioned the Left's apparent abandonment of classical liberal values in favor of effervescent pop slogans intended to provoke more publicity than thought. Liberal intellectuals love self-critical introspection, so Berman has enjoyed great success. It's likely Ian Buruma read Berman's previous books, nodding in sorrowful agreement.

IF SO, THE *FLIGHT OF THE INTELLECTUALS* must have seemed to Buruma a kind of ambush. After all, as Berman acknowledges, Buruma had written exactly the kind of "quiz-zical" piece the *Times* seems to love when pro-

filing somebody the editors feel is comfortably controversial. The piece was respectful, moderate, and delicately probing, without crossing the line of confrontation.

Buruma seemed bemused by his difficulties in pinning his subject down.... The article rehearsed some of the political accusations that have been leveled at Ramadan in France: dark rumors, feminist shudders, complaints of bigotry, instinctive suspicions. But Buruma explained that, once he had looked into the accusations, they turned out to be groundless, or exaggerated and unjust, or distorted because the context had been omitted. On certain matters of controversy, Buruma expressed no opinion of his own and, out of courtesy, permitted Ramadan to rebut his critics. The rebuttals seemed firm, or at least plausible, even if Buruma now and then raised a skeptical eyebrow.

The piece ended on a pitch-perfect fluff note for the *Times*:

Ramadan offers a different way, which insists that a reasoned but traditionalist approach to Islam offers values that are as universal as those of the European Enlightenment.... His politics offer an alternative to violence, which, in the end, is reason enough to engage with him, critically, but without fear.

That was the important takeaway the *Times* intended. It made the magazine's piece more or less consistent with that liberal intellectual consensus about Tariq Ramadan, which is that he's the right sort of Muslim for Europe's 15 million believers, a well-dressed, reasonable man who lives in Switzerland, teaches at Oxford, and seems to condemn violence. For years, he has been a darling of the anti-American neo-Left—which includes quite a few Americans, of course. *Salon* calls Ramadan "the Muslim Martin Luther." *Time* calls him a "spiritual innovator" and a "thinker." Giorgio Armani calls him a customer.

But Berman calls him a dissembler and climbs through Ramadan's family tree, discussing his grandfather, Hassan al-Banna, the founder of the Muslim Brotherhood, a sort of Islamic version of the IRA, and its expedient—and innovative—resonance with Nazism; Ramadan's grandfather, Berman points out, claimed Hitler as one of his inspirations. The Brotherhood's typical methods of persuasion have been the familiar ones: terrorizing, threatening, or blackmailing moderate Arab governments into abandoning Western-style liberal policies and replacing them with funda-

mentalist Islamic policies. Sometimes banned, sometimes welcomed, the Brotherhood is politically smooth, hugely influential, extremely treacherous, and well connected to terrorism. "The Muslim Brotherhood...has always stood united in awe and admiration for their brothers in Hamas," Berman writes. "Hamas venerates, in turn, the founding Supreme Guide of the Muslim Brotherhood."

RAMADAN HAS NEVER DISOWNED THESE things, and Buruma glides over these issues, as so many others have done. Berman rightly condemns him for letting Ramadan off the hook. Berman had, after all, already warned his fellow intellectuals about Ramadan in *Terror and Liberalism*. (In fact, that widely praised book contains long passages that are echoed and developed in *The Flight of the Intellectuals*.) One gets the feeling that maybe Buruma is taking a hit for all those who had been inattentive to Berman's previous counsels. "The conventional wisdom," Berman admits, "looked

The New York Times's
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on Tariq Ramadan as a long-awaited Islamic hero—the religious thinker who was going, at last, to adapt Islam to the modern world. This was the reigning opinion in the New York intellectual press, back in 2006 and 2007."

New York's "intellectual press"—and now we see where *that* bar is set—had apparently gotten its impression from the French, no doubt loosely translated. For many years, Ramadan had been the favorite of the French *altermondialistes*, and, until his departure for Britain, one of the big draws at the colorful, noisy, anarchistic, and therefore largely nonsensical European Social Forum (ESF) gatherings. In advance of a November 2003 ESF session, he famously circulated his "Critique of (New) Communitarian Intellectuals," attacking Jewish activists for being too, well—*Jewish*, and not sufficiently dedicated to the cause of communitarianism, especially the pro-Palestinian aspects of it. Understandably, the document was widely considered to be anti-Semitic, even by the French elite, to whom anti-Semitism is often invisible. Ramadan called in favors to try to get the document published in the French press before the

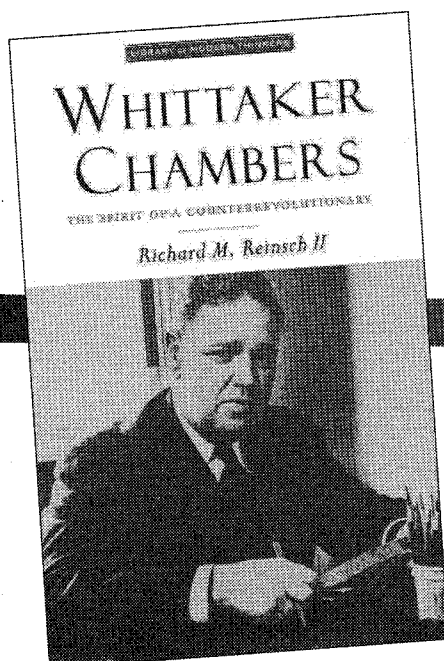
session began. But *Libération*, where a left-wing sympathy for the Palestinian cause knows few bounds, turned it down, while *Le Monde*, normally a reliable Ramadan supporter, refused *five times* to publish it. (It was finally published on an Islamic website, Oumma.com.) Ramadan's apologists quickly claimed that the document was addressing the problem of Zionism, not Judaism. But Ramadan's essay didn't accuse the Jewish communarians of being too Israeli, or even too Zionist, only too Jewish. It was a humiliating defeat for Ramadan, and one that ought to have made his agenda quite clear. Fortunately for him, it went almost without notice in the American press.

So it took less than a year for sympathetic intellectuals to scrub Ramadan clean of the charge of anti-Semitism, and by 2004, Notre Dame, of all places, offered Ramadan the Henry R. Luce Professorship of Religion, Conflict, and Peacebuilding at the Kroc Institute. The Bush Administration, aware of Ramadan's potential for mischief, pointed out that he had given money to organizations supporting Hamas and barred his entry into the U.S., a policy a lower-level intellectual, the *New Yorker's* George Packer, condemned as "stupid." To Packer, after reading the Buruma piece, Ramadan, the "Swiss Islamic scholar," was a "serious and widely influential intellectual." Hillary Clinton lifted the ban—something Berman supports, arguing, reasonably, that "the freer the debate, the better for everyone." But that generous argument presupposes that an intellectual class clearly disposed to intellectual cowardice and pack-thinking would support anything approaching a "free debate." In practical terms, it simply means Ramadan's intellectual patina gets a little shine and the cause of Muslim fanaticism obtains another platform.

IN REVIEWING BERMAN'S BOOK, CRITICS HAVE pointed out that the self-delusion of liberal intellectuals has been the subject of other books. The *New York Times's* review cites Nick Cohen's *What's Left? How the Left Lost Its Way* (2007) and Julian Benda's celebrated *Treason of the Intellectuals* (1927). But the most apt comparison, I think, is with Tom Wolfe's *Radical Chic and Mau-Mauing the Flak Catchers* (1970). Unlike Berman, Wolfe saw clearly that fear of fact-checking—repeating the "gotcha" mantra—would never be enough to inspire real intellectual rigor, the kind that can swim upstream and destroy the insipidity of "conventional wisdom."

The reason for this is simple. The victory of Tariq Ramadan has been due to his ability to manipulate the ignorance of friendly intellectuals—men and women whose intellectual-ity has been consecrated by a kind of laying-on of the hands of other intellectuals. These are

WHITTAKER CHAMBERS ON HIS OWN TERMS



Whittaker Chambers famously remarked that he was “leaving the winning side for the losing side” by fleeing Communism.

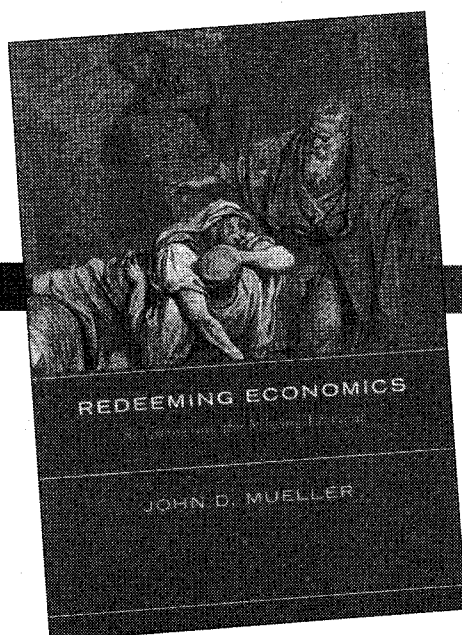
Defying conventional thinking, Richard Reinsch argues that with this statement the former Communist spy may have been more right than wrong.

Praise for *Whittaker Chambers: The Spirit of a Counterrevolutionary*

“The perfect antidote to a temptation all too easy to succumb to today: the reassuring illusion that Communism was doomed all along and that those who fretted about the threat were blind to the inevitability of global democratic bliss.”

—DANIEL J. MAHONEY, author of *Aleksandr Solzhenitsyn: The Ascent from Ideology*

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people who cannot both confess ignorance and maintain their intellectual claims. Ramadan demonstrated this brilliantly in 2006, when Pope Benedict, making a scholarly reference at a theological conference, quoted 14th-century Byzantine emperor Manuel II Paleologus’s comment that there is little rationalistic tradition in Islamic theology—a problem, when it comes to dialogue. The editorialists at the *New York Times* may not have known whether there was any truth to that, but the paper nonetheless lamented “Muslims’ shock at the Pope’s remarks,” and invited Ramadan to contribute an op-ed piece to express said shock. Ramadan dutifully denied the pope’s assertion, and cited one of his grandfather’s favorite teachers, Abu Hamid al-Ghazali, an early 12th-century Persian mystic, as the source for his claim that Islamic theology has a strong rationalist tradition.

Except it doesn’t; rationalism has always been viewed with suspicion in Islam. (Berman looks at that claim carefully, although not in connection with Benedict’s comment.) If he is a student of al-Ghazali, Ramadan’s “rationalism” isn’t the “rationalism” Benedict obviously intended as a basis for discussion. Although some claim Al-Ghazali may have ultimately paved the way for some sort of Islamic adaptation of Aristotelianism, in *The Incoherence of the Philosophers* he specifically rejects rationalism as a means to faith. This was a turning point in Islamic theological and philosophical development and has led to an Islamic antagonism toward reason. (As another Ramadan critic, Caroline Fourest, argues, Ramadan routinely employs a “double discourse”; that’s a polite way of saying he talks out of both sides of his mouth.) But in making his claim, Ramadan knew that few people—even intellectuals—reading the *Times* would have a clue about al-Ghazali, and that they would believe what they needed to believe in any case.

THE IDEA OF MANIPULATING INTELLECTUALS by exploiting the gaping holes that no self-respecting modern intellectual can acknowledge, yet which exist in every person’s education, is easier than ever. This also works with memory, as Henry Rousso pointed out in his 1987 classic, *The Vichy Syndrome: History and Memory in France since 1944*. In creating a cogent, intellectual point-of-view, some facts are worth remembering more than others, and some are worth nothing at all and should be forgotten. In the end, most people—but especially contemporary intellectuals—believe what they believe because it’s too uncomfortable (or just too much work) to disrupt the seamless narrative of a carefully shaped worldview by trying to accommodate contrary evidence. The result is the kind of ignorance of obvious factors that has so irritated Berman. In fact, simply tracking

the needed refutations to these intellectual narratives can make one tipsy with anger.

Just ask Theodore Dalrymple, contributing editor to *City Journal* and a columnist for the *London Spectator*. Dalrymple is the pitchman for the apocalypse and the poet laureate of complaint, a master with a sharp eye for the telling detail, who writes the blues the way Robert Johnson sings them. When it comes to delivering the news from Judah, *nobody* knows the trouble Ted Dalrymple has seen. Next time some dewy-eyed waitress tells you to have a nice day, lay some Dalrymple on her and show her the dark side of "nice."

For connoisseurs of the jeremiad, Dalrymple's *The New Vichy Syndrome: Why European Intellectuals Surrender to Barbarism* will be a necessary purchase; with *Our Culture, What's Left of It: The Mandarins and the Masses* (2005) and *Not with a Bang but a Whimper: The Politics and Culture of Decline* (2008), *The New Vichy Syndrome* completes a three-part threnody on the victims of intellectual failure. Those victims, Dalrymple says, are all of us. We have been betrayed not just by the intellectuals' failure to cleanse themselves of the polluting, mind-twisting taint of politics, but by the failure of the culture (or, as he might add, what's left of it) to synthesize and make useful the episodic insanity of our times.

BERMAN AND DALRYMPLE MAY BE AT OPPOSITE ends of the political spectrum, but they are united in their disgust for the infantile cowardice of our current crop of public intellectuals. For Berman, this cowardice is an explanation for their refusal to see what a careful observer should be able to see. For Dalrymple, it's a way of explaining all that afflicts the West in its lame, timid, and anxious confrontation with "barbarism."

And afflictions there are, aplenty. Dalrymple visits most of them, usually landing spot-on, but occasionally taking a tumble. Using Nigeria as a model for African statehood may have been a mistake, for example.

The vast majority of Nigerians has known nothing but independent Nigeria; and while they remain divided into some three hundred or so ethnicities (depending on what counts as an ethnicity), the fact is they do now have something, their Nigerianness if you like, in common.

Of course, Nigeria is also divided into an Islamic north and a Christian south and the Islamic Nigerians are violently opposed to the Christian ones; the country is often shaken by raids, atrocities, killings, and warfare based on anything but a sense of Nigerianness.

But Dalrymple is one of our best polemicists, elegant, insightful, and specific. On the

subject of Europe, he is deeply and justifiably melancholy: the common currency is a huge problem; regionalization is bound to fail and cause misery as it does so; and while there is not much of a European future, there's a fairly rich and compensating past in the face of which "miserablism" is a foolish creed. "I don't see how anyone can walk around Paris, say, or Venice, or Rome, or indeed anywhere," he writes with uncharacteristically sweet sentimentality, "and see only crime and folly, and no achievement, almost all of it that of European civilization."

So he ends in sorrow and with a warning, first paraphrasing Dean Acheson's comment that Britain had lost her empire and not found a role with which to replace it. "You might say of Europe that it has lost its purpose, and not found any to replace it." America, he suggests, is not yet in that predicament:

a defense of all that is best, and of all the achievement, in American history is necessary. That is why the outcome of the culture wars in America is so important to its future. A healthy modern society must know how to remain the same as well as change, to conserve as well as reform. Europe has changed without knowing how to conserve; that is its tragedy.

It's an exhilarating book, one meant to be read in a single sitting. It moves quickly from one argument to another—although some of the connecting dots are a bit odd owing to the peculiar construction of the text and the highly engaging chorus provided by extensive marginal comments. Sometimes, footnotes swamp the text: for example, one chapter—the fourth, which is a kind of recap of the first three—has a very long note surveying the Salman Rushdie affair in some detail. The footnote is easily twice as long as the text to which it is appended. The text is fragmented; Dalrymple allows no loitering: if he's feeling expansive, he'll give you a thousand words, maybe two, tops. Most of the book's dour message is delivered with the brevity of a subversive flash card.

Through all of this, Dalrymple is a hugely entertaining writer, and a therapeutic one. You know after reading only a few pages of the latest Dalrymple that you can holster your outrage because he's got you covered. And this latest book—a perfect summer read—proceeds at such a breakneck pace that it resembles a thrill ride wrapped in a dust jacket. You finish saying, "Well! That was fun. Let's go again."

Denis Boyles is the author, most recently, of *Superior, Nebraska* (Doubleday). He teaches at the Brouzils Seminars in France and is a co-editor of the *Fortnightly Review* online.

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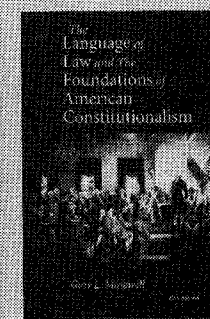
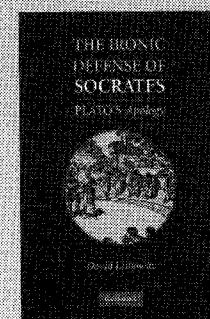
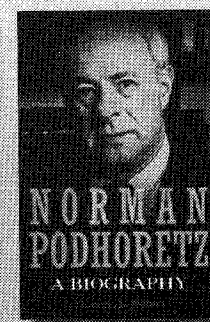
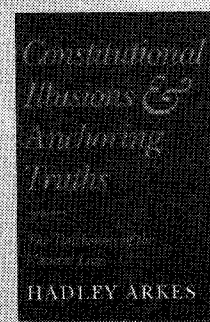
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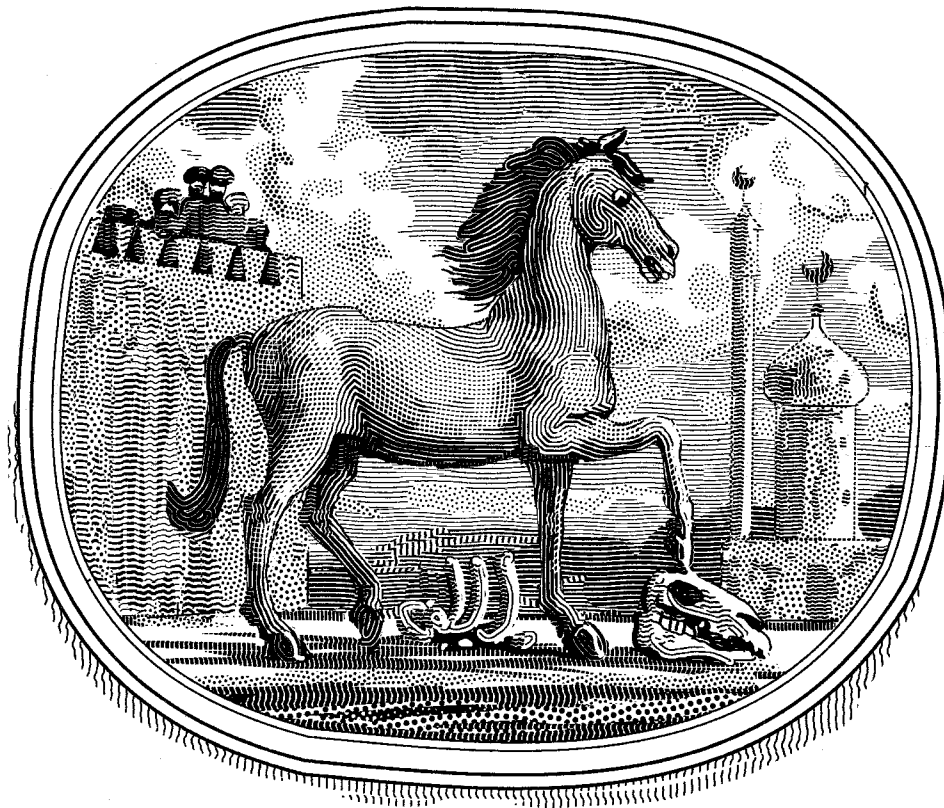
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Book Review by James Kirchick

WIN, PLACE, OR SHOW?

The Strong Horse: Power, Politics and the Clash of Civilizations, by Lee Smith.
Doubleday, 256 pages, \$26 (cloth), \$14.95 (paper)



WHEN ISLAMIST TERRORISTS ATTACKED the United States on September 11, 2001, the consensus view was that “the world had changed.” And it did, at least as far as America was concerned. As a result of the murder of nearly 3,000 civilians, the United States initiated wars in Afghanistan and Iraq—where, combined, over 200,000 soldiers are still stationed—and a broader, more nebulous “War on Terror” that shows no sign of abating. Though the United States had played a crucial role in Middle Eastern politics since the end of World War I and the subsequent breakup of the Ottoman Empire, never before had it risked so much blood and treasure, never mind prestige, on righting the region’s dysfunctional and intractable political culture.

Though an act of mass-casualty terrorism on U.S. soil seemed era-defining and world-changing for Americans, it was hardly so momentous for the people on the receiving end of our attentions, that is, the hundreds of millions who populate the lands stretching from the Maghreb of northern Africa to the Persian Gulf. For them, violence has always been a tool of politics.

“9/11 was evidence of a clash all right, but the clash that led to 9/11 was less the conflict between the West and Islam than the conflict

between the Arabs themselves,” writes Lee Smith, a visiting fellow of the Hudson Institute and author of *The Strong Horse: Power, Politics, and the Clash of Arab Civilizations*. A New York-based cultural journalist for most of his career, Smith was so shaken by the attack on his home that he up and left for the Middle East to learn Arabic, travel the region, and discover for himself why America is so hated. “Strange as it sounds, the attacks on New York and Washington were not really about us,” he decides. This will come as a shock to commentators on the Left who believe that American foreign policy—namely, support for Israel—led to 9/11, as well as those on the right who argue that it is our duty to democratize the region in order to promote a healthier political culture. By blaming the region’s anti-Americanism on failures in American foreign policy, both sides suffer from a severe case of myopia, Smith argues, not to mention profound ignorance of Islamic and Arab history.

The belief that the United States is to blame for the Middle East’s ills is a function of both “our own narcissism and the tendency of Arab nationalists to blame outside forces for the problems of their region.” Thus anti-Western rhetoric, honed over decades by Arab and Mus-

lim leaders from Wahhabi clerics to Egypt’s Gamal Abdel Nasser to Osama bin Laden, corresponds closely with the analysis on offer from many on the left which condemns American foreign policy for the “blowback” it inevitably produces.

Smith goes back hundreds of years to the first encounters between European empires and the peoples of the Middle East and discovers that cultural stagnation and a series of military defeats—from Napoleon to the Ottomans—produced in the Arab world a deep sense of civilizational humiliation that it nurses to this day. He explores the development of Wahhabism, and its understanding of the principle of *Tawhid*, or “unity of God,” which permits Muslims to kill anyone—even other Muslims deemed insufficiently devout, i.e., Shiites and Sufis—in pursuit of the restoration of the ancient Caliphate. Smith reminds those who believe that America’s problems in the Middle East began with the creation of the state of Israel that jihad “is a fourteen-hundred-year-old political institution that is like a bottomless cup filled to the brim with the martial energies of young men who, as all Arab rulers know, must be either used to advantage or killed, lest they turn on the ruler.”



Armed with a reactionary, obscurantist ideology, Islamists entered the Arab political space in the only way they knew: violence. Sayyid Qutb, the chief theorist of 20th-century militant Islam, called for holy war against the Arab regimes that he believed had failed in the task of "restor[ing] the contemporary *umma* [community of believers] to its rightful place as the best of all nations." For his "purgative" agitations, he was summarily executed by the Nasser regime. Islamists were not alone in using violence to further their ends; on the contrary, as Smith details, violence is the basic tool of Arab politics and always has been. Yasser Arafat's Palestinian Liberation Organization, established as a secular outfit with support from the Soviet Union, used terrorism from the get-go. The region's police-state regimes have always ruled by fear and murder. "September 11 was just the business of Arab politics as usual."

SOME READERS MAY FIND SMITH'S BLUNT assessments of the Arabs' stunted political development repetitive, but they help to puncture the naïveté of the anti-American Left, liberal internationalists, and pro-democratization conservatives, all of whom are trying to fix a system that Smith believes to be hopelessly broken. The problem is that the Arab world is plagued by a "political culture that has no mechanism for either sharing power or transmitting political authority from one governing body to another except through inheritance, coup, or conquest." It's a cliché to say that the Arab world "respects power," but it has the benefit of being true. It's why Smith takes his title from Osama bin Laden's admonition that "When people see a strong horse and a weak horse, by nature, they will like the strong horse."

Smith chooses as a microcosm of Arab and Muslim power politics Lebanon, the benighted Mediterranean strip of just four million people where every regional player has blood on its hands. There, a Christian-Sunni alliance, backed by Saudi Arabia and the United States, is pitted against the "resistance bloc" consisting of Syria (which occupied Lebanon for a quarter century and continues to meddle in its domestic affairs) and Iran, both of which arm and equip Hezbollah, a Shiite terrorist organization that instigates wars with Israel, attempts coups against Lebanon's government, and intimidates the country's Shiites into confessional submission. As the Obama Administration moves from failed engagement with Iran to yet another round of supplications to Syria (including appointing the first U.S. ambassador there since 2005), a key question is

whether our policymakers will realize that the authors of regional instability are Tehran and Damascus.

In a chapter on the "Middle East Cold War," Smith explains how Israel has earned tacit support from the Sunni regimes in Amman, Cairo, and Riyadh, becoming the region's unlikely strong horse in the struggle against Tehran, Damascus, and their sub-state proxies. The region's Sunni leaders are loath to admit this—Saudi Arabia most of all, it being, in Smith's words, "a paper strong horse" unable to defend itself against Baathist aggression 20 years ago or to prevent Persian nuclear ambitions today. Witness, for example, the lack of outcry from Arab regimes over Israel's pummeling of Hezbollah in 2006, a war that many Arab leaders quietly wished had gone further. Or their non-reaction to Israel's unilateral destruction of a North Korean-supplied nuclear reactor in Syria a year later. This is a sea change in attitudes from when Arab regimes actively sponsored wars against Israel. Today, though they may flog for propaganda purposes the Palestinian issue, they are far more concerned about Iran's hegemonic ambitions.

No doubt, Smith paints a depressing picture of the region, and does not offer much in the way of policy prescriptions for the United States other than that it muddle through and

play the strong horse by backing its allies and furthering its interests with credible threats of force. The foremost concern now, obviously, is Iran's role in destabilizing the region. Though skeptical of American attempts to promote democracy, Smith finds himself sympathetic to the region's sparse set of liberals, who are stuck between the rock of the old regimes and the hard place of the resistance bloc. Lauding their persistence and democratic vision, he is frustrated by their fundamental weakness: in a place where violence is the coin of the realm, Arab liberals are unwilling to use tactics that for centuries have defined the region's politics. Hardly a cheerleader for the war in Iraq, Smith believes the removal of Saddam Hussein was justified on national security grounds, and argues, contra most "realists," that we have a great interest in defeating the forces arrayed against the young, democratic state we helped midwife.

Part memoir, part reportage, and part history, *The Strong Horse* is bracing. But what Smith cannot foretell, and what the next two and a half years of this administration may determine, is the advisability of betting on America.

James Kirchick is a contributing editor of the *New Republic*.

History Repeats Itself

A HISTORY OF EXECUTIVE POWER FROM
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JOHN YOO

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THE COCKTAIL NAPKIN THAT CHANGED THE WORLD

Econoclasts: The Rebels Who Sparked the Supply-Side Revolution and Restored American Prosperity,
by Brian Domitrovic. ISI Books, 368 pages, \$27.95 (cloth), \$12.99 (paper)

ECONOCLASTS IS THE INSPIRING STORY OF how a few entrepreneurial scholars and thinkers turned economic orthodoxy on its head and brought unprecedented prosperity to America, and much of the world, for almost two generations. Arthur Laffer, Jude Wanniski, Robert Bartley, Jack Kemp, Robert Mundell, and many others—but most importantly, President Ronald Reagan—saved the world from the devastations of stagflation, runaway inflation, unemployment, and deindustrialization. The supply-siders, as they were called, were radical rebels who argued that Keynesianism was a fraud. They were regarded as mad men, lunatics, as are all great thinkers who topple the establishment.

The book is an amazing history of one of the most important chapters in the evolution of economic thought, and it's a wonder the story hasn't been told before now. To this day, modern economics textbooks treat the supply-side movement as a fad and even as a failed experiment. My teenage son's textbook describes Reagan's economic policy as a belief that tax cuts would balance the budget and revive the economy, but instead they brought record levels of debt and widened the income gap between rich and poor. (If they think Reagan brought us debt, I can't wait to hear historians spin the Obama presidency, where deficits are already *twice* as large a share of GDP as the highest deficits under Reagan.) *Slate* columnist Michael Kinsley calls supply-side economics "the classic Republican phony theory." The liberal blog page Daily Kos refers to supply-side theory as "the greatest lie ever told over the last 30 some odd years."

Brian Domitrovic, assistant professor of history at Sam Houston State University, narrates in great detail just how savagely the supply-siders were ridiculed and ostracized by the establishment Keynesians. Throughout the 1970s supply-siders were regarded as mere nuisances, until Reagan was elected and the new theories put in place, to the establishment's horror. The young Arthur Laffer was the butt of jokes by Paul Samuelson, the Nobel prize-winning godfather of neo-Keyensianism and author of the macroeconomics textbook two generations of Americans were forced to read in college. Samuelson presented a paper called "Why They Are Laughing at Laffer," mocking a GDP prediction that Laffer made while working as an economist in the Nixon Administration—a GDP prediction which turned out to be almost precisely correct.

The supply-siders had the insight that incentives matter, that all the effects of policy are at the micro-level, not the macro-level. They argued that people work to earn income, not pay taxes, and when taxes get too high, they won't work. Money's chief function, they said, is to be a storehouse of value and to retain that value over time. The Laffer Curve is at the heart of the theory. It shows that when tax rates get too high, work, effort, and even tax revenues are reduced. *Econoclasts* recounts Laffer's historic first drawing of the Curve on a cocktail napkin at a meeting in the early 1970s with Dick Cheney, Donald Rumsfeld, and *Wall Street Journal* associate editor Jude Wanniski. That napkin belongs in the Smithsonian Institution.

It wasn't only Republicans who signed up for this new economic theory. Domitrovic reminds us that the economic wrong-headedness of the '70s had led the nation into a ditch of high inflation, high unemployment, and slow growth—or as they called it in those days, "malaise." Many Democrats revolted in the late '70s and early '80s: Sam Nunn, Dick Gephardt, Lloyd Bentsen, Bill Bradley, and Phil Gramm (before his Republican switch) subscribed to the idea that tax rate reductions could regenerate American economic might. In 1980 the House's Joint Economic Committee under Senator Bentsen issued a report entitled "Plugging in the Supply-side." The House and Senate passed a supply-side income tax cut in 1979 that was vetoed by President Carter. If Carter had signed that bill, there might never have been a President Reagan.

But of course it was Reagan who carried the day for the Kemp-Roth tax cut, chopping the income tax rate from 70% to 50% and then to 28%, and cutting the capital gains, dividend, and estate tax rates, too. Just as important, Domitrovic reminds us, was the disinflation of the 1980s under Federal Reserve chairman Paul Volcker whose monetary policy brought the annual rate of increase in the Consumer Price Index from 14.5% down to 3%—something no one thought possible.

Yale's James Tobin, the dean of the neo-Keyensians, had warned that Reagan's tax cuts and tight money policies were like two trains pulling in opposite directions, "working at cross purposes." But he and the Keynesian orthodoxy were wrong. Reaganomics worked. Oh my, how it worked. Between 1982 and 2007 the U.S. gained some 40 million new jobs—five times more than Europe. The net wealth of the nation rose from \$18 trillion to \$57 trillion by late 2007. This pe-

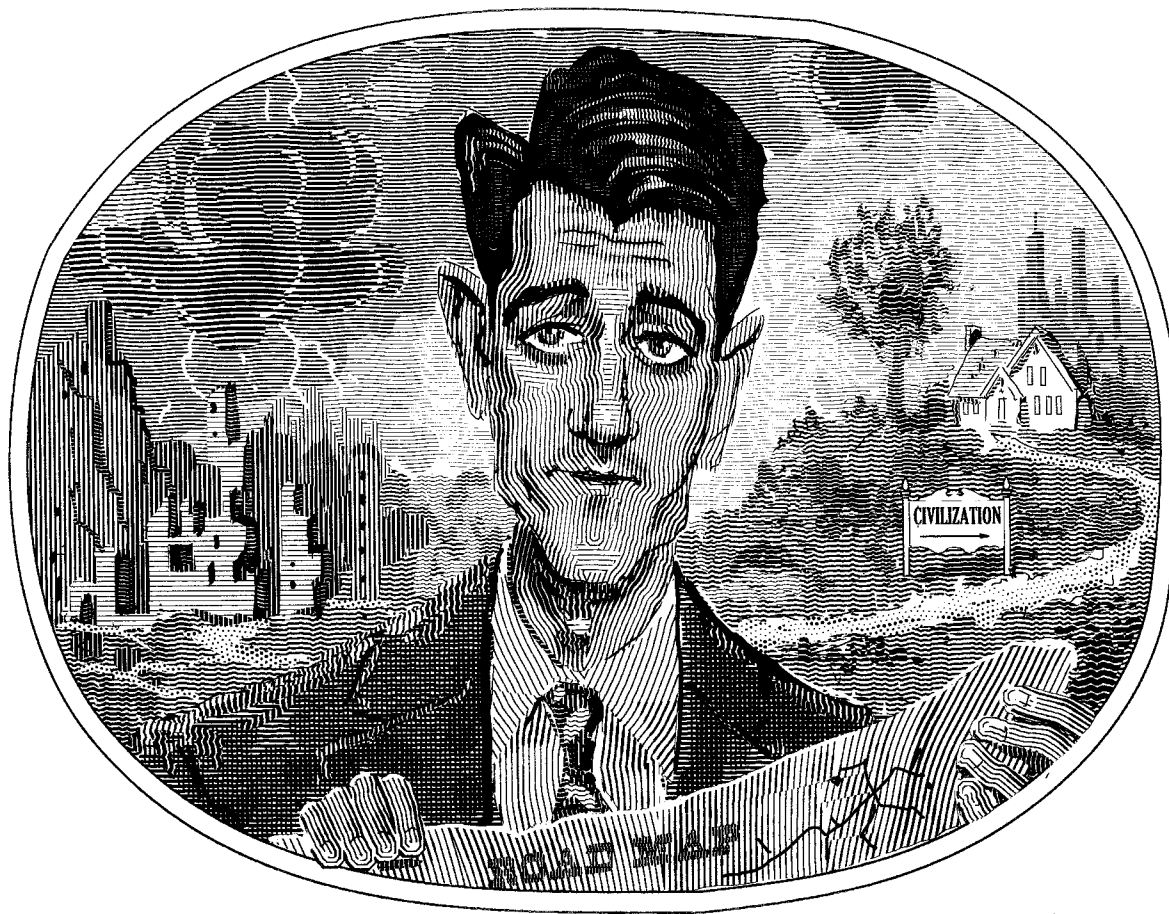
riod saw an entrepreneurial boom in which small start-ups became mega-firms with mega-profits. Domitrovic mentions Microsoft, Wal-Mart, Apple, Intel, Dell, Cellular, Starbucks, Goldman Sachs, Federal Express, and Google as beneficiaries of the supply-side revolution. Incomes shot up for nearly everyone as America enjoyed more than a generation of general prosperity with the economy growing an astounding 95% of the time. Inequality grew only because some grew rich much faster than others.

THE TRIUMPH OF SUPPLY-SIDE POLICIES seems hard to refute in retrospect. As Robert Lucas, the Nobel Prize-winning macroeconomist, initially skeptical of supply-side economics, wrote in 1990, "The supply-side economists have delivered the largest genuine free lunch I have seen in 25 years in the business and I believe we would be better off if we listened to their advice." Then in a 2007 requiem on supply-side economics in the *Wall Street Journal*, he wrote that as a result of the "two macroeconomic changes of the last fifty years that really mattered," by which he meant massive disinflation and tax rate reductions on capital and labor, America achieved "steady GDP growth, low unemployment, and low inflation rates—once thought to be an impossible combination."

Alas, maybe there isn't such a happy ending after all. Sure, the supply-siders have been vindicated by the actual performance of the economy. They helped pull millions of people in the U.S. and around the world out of poverty. They conquered inflation. But instead of listening to their advice, U.S. politicians today (including President Obama, Harry Reid, and Nancy Pelosi) are set on a course of anti-supply-side policies. Tax rates are going way up in 2011—on capital gains, dividends, personal income, and estates. There is talk of a wealth tax or a value added tax to close massive deficits. Some high-level Democrats have advised increasing the top tax rate to 50% or more. "We have tried tax cuts, and they do not work," President Obama declared when he unleashed his \$800 billion spending plan. Will someone *please* deliver this book to his doorstep?

Stephen Moore is a senior economics writer for the *Wall Street Journal* editorial page and the author, with Arthur B. Laffer and Peter J. Tanous, of *The End of Prosperity: How Higher Taxes Will Doom the Economy—If We Let it Happen* (Threshold Editions).

PAUL RYAN'S ROADMAP



AMERICAN POLITICIANS HAVE CARVED out consequential public careers from a variety of starting points, including military service, business success, entertainment, and professional sports. The obscure position of ranking minority member of the Committee on the Budget in the House of Representatives, however, has never been any kind of launching pad. Until now. Paul Ryan, a Republican completing his sixth term in Congress from southeastern Wisconsin, has used that post to establish himself, at age 40, as one of Washington's most prominent and important conservative politicians. Ross Douthat of the *New York Times* recently called Ryan one of the few Republicans in Washington "worth taking seriously on substance."

Part of Representative Ryan's sudden prominence derives from his ability, increasingly rare in Washington, to be serious about public policy without being strident about partisan politics. Even Jonathan Chait, whose *New Republic* blog is, like most blogs, more reliably strident than serious, complimented Ryan as "a cheerful and courteous man who gives every sense of wanting to deal in good faith." Chait presented this bouquet after cheerfully, courteously asserting that Ryan's ultimate political goal is to "liberate the

lucky and successful to enjoy their good fortune without burdening them with any responsibility for the welfare of their fellow citizens."

Good cheer and good manners can carry a politician only so far, however. The bigger reason for Ryan's rise from obscurity to importance is that the issue he is most serious about—deficit reduction—is an issue about which Americans are growing increasingly concerned. The NBC News/Wall Street Journal public opinion survey in May 2010, for example, showed that 20% of Americans considered "the deficit and government spending" the nation's highest priority, while another 16% called it the second-highest. As recently as January 2010, more Americans had wanted the government to concentrate on both health care and national security than on the deficit. By May, even as a grim recession dragged on, only "job creation and economic growth" preoccupied the public more than the growing federal deficit. Not since anger over Washington's fiscal ineptitude secured 19% of the 1992 presidential vote for the decidedly odd Ross Perot have fiscal issues been so politically combustible. "There's no question that people are almost as concerned about the deficit and government spending as about jobs," the Democratic pollster Mark Mellman told the *Los An-*

geles Times in June. "It is not just about the actual dollars—it is a metaphor for wasted money and lack of discipline and long-term economic decline."

Borrowed Money

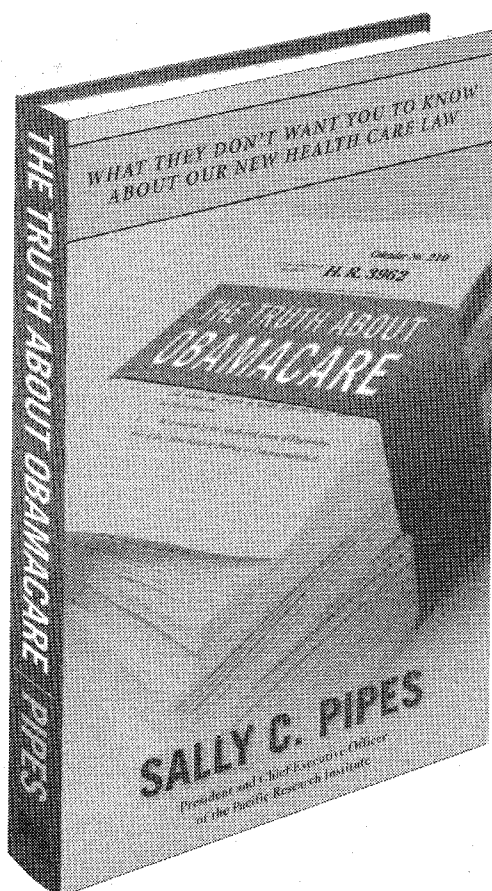
THE FEDERAL GOVERNMENT IS INDEED relying on borrowed money to pay for its operations to an unprecedented extent. The economist Donald B. Marron recently laid out the crucial facts in *National Affairs*:

- In 2009 the federal government spent \$3.5 trillion and received \$2.1 trillion in revenue. The \$1.4 trillion it borrowed to make up the difference represented 40% of federal spending and 10% of the nation's economic output.
- "America's publicly held debt now totals \$7.5 trillion, about 53% of gross domestic product—the highest it has been in more than 50 years"—that is, since the huge debts incurred fighting World War II were paid off.
- Even with the optimistic assumptions that the current recession ends soon and the com-

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ing decade does not see another, the Obama Administration forecasts federal deficits that “average more than \$1 trillion annually for the next ten years, amounting [each year] to more than 5% of GDP.”

- “By 2020, the United States would owe more than \$20 trillion, the equivalent of about 85% of GDP. At that point, interest payments alone would consume about \$900 billion a year—almost five times as much as they did in 2009.”
- In the more distant future, the retirement of the baby boom generation will cause federal outlays on Social Security, Medicare, and Medicaid to increase from 10% of GDP today to 16% by 2035, according to the Congressional Budget Office.

NOT EVERY ECONOMIST BELIEVES THAT big deficits are a big problem. James Galbraith of the University of Texas goes so far as to insist they aren’t even a small problem. The danger posed by long-term deficits “is zero,” he told the Washington Post. “It’s not overstated. It’s completely misstated.” Galbraith’s argument is that if the prospect of a dramatic increase in the demand for borrowed money were a serious concern, it would already be manifested in higher interest rates—the price of borrowed money—which reflect lenders’ collective assessment about where inflation is headed in the future. The fact that the current market rate for 20-year treasury bonds is only 4% proves, he says, either that fears about the consequences of growing indebtedness are overblown or that the bond markets are completely irrational.

Galbraith’s economic analysis meshes perfectly with his political agenda, which is to convince the nation to “stop fretting about false problems,” like the federal deficit, in order to spend billions of additional dollars on “real ones,” such as unemployment and climate change. There are deeper reasons to be dubious about his assessment, however. Saying that markets are rational does not preclude the possibility that they are fallible. The 4% rate on 20-year treasury bonds would be more comforting if we hadn’t so recently seen low interest rates and willing buyers for the bonds being offered by Greece’s government, not to mention securities backed by the monthly payments on subprime home mortgages. In reality, most bankruptcies unfold the way Mike Campbell’s did in *The Sun Also Rises*: gradually, and then suddenly. Urging us to disregard the cliff we’re approaching, and concentrate on the fact that all four wheels are on solid ground at this moment, is an eccentric kind of prudence.

Deficits and Debts

THE CONSENSUS SHARED BY MOST POLITICIANS and economists is, to the contrary, that America has no choice but to get control of federal borrowing. (The awareness of that consensus is priced into the current low interest rates for long-term bonds, cited by Galbraith. The markets, in other words, are expressing current lenders’ confident expectation that Galbraith’s idea—that the government should keep borrowing as much and as long as somebody keeps lending—will be widely ignored.) House Majority Leader Steny Hoyer, for instance, told the Brookings Institution in March that if America failed to treat the deficit problem with utmost urgency the “extreme economic crisis” that has befallen Greece “will happen here.” A few weeks later William Galston, a fellow at Brookings, wrote that “we can’t keep borrowing a trillion dollars a year (and turning over a total of five trillion a year in public debt) without incurring burdensome interest payments and running grave risks.” “Will our leaders,” asked Galston, “summon the courage to treat our citizens as adults and level with them about what needs to be done? Our future is riding on the answer.”

Marron, a member of George W. Bush’s Council of Economic Advisors, offered a comprehensive list of reasons “why deficits and debt matter.” It includes:

- Deficit spending hampers economic growth, because America’s savings rate is too low to finance both chronic, massive public debt and the investments required for private-sector innovation and expansion.
- Raising taxes and cutting spending are unpopular, which is why paying off debts by devaluing the dollars they are denominated in is so tempting. Deficits, in other words, increase the likelihood of inflation, and even the prospect of inflation can alter economic behavior in harmful ways.
- America becomes geopolitically weaker as it relies more heavily on money borrowed from foreign lenders and governments.
- The miracle of compound interest becomes a nation’s mortal enemy once it digs itself into debt. The more it borrows the higher its debt service obligations, so the more it needs to borrow. Trying to borrow yourself solvent is as futile as attempting to drink yourself sober.
- Massive indebtedness poses stark questions of intergenerational fairness. Since so much of our government spending goes to sup-

port current consumption, instead of infrastructure and research investments that offer long-term benefits, today's borrowing binge, according to Marron, "places an unfair imposition on future generations of Americans, who will sacrifice the fruits of their labor to pay off a debt they had no role in incurring."

The question, then, is on what basis America will retreat from heavy borrowing to, if not budget surpluses and the elimination of the national debt, then at least deficit levels closer to economically tolerable historical norms. Increased economic growth would be the *deus ex machina* that made it possible to avoid grappling with the hardest choices. The economic journalist James Pethokoukis argues, for example, that if the U.S. economy's long-term economic growth rate increased to 3.5% from the 3% rate that has prevailed since 1970, we'd be able to cover all the spending promises we've made to ourselves without raising any additional funds through higher taxes or increased borrowing. Tidy as the underlying equations may be, the problem is that nobody can find the section of the Economy Owner's Manual that tells you which dials to turn to guarantee that additional half-percentage point of economic growth. Furthermore, it seems highly probable, as Marron and many others argue, that to go on borrowing money in lieu of raising taxes or cutting spending, in the hope that faster economic growth renders such distasteful medicine unnecessary, will have the effect of *reducing* economic growth. If a 3.5% growth rate solves all our problems, a 1 or 2% growth rate turns them into catastrophes, making the spending cuts and tax increases that, ultimately, do have to be enacted bigger and more painful than the ones that could have been implemented earlier.

The Goldilocks Problem

THE ABSENCE OF EASY FISCAL CHOICES about deficit spending means that arguments about the hard ones will dominate American politics for many years to come. Given the massive amounts of money involved, the need to venture economic projections about the distant future, and the vastness and complexity of the federal government's finances, the arguments over these hard choices will inevitably be conducted in esoteric technical terms. No matter how many competing studies and predictive models are used as ammunition in that battle, however, it will be settled on *political* terms. Liberal Democrats will strive to fill the gap between revenues and spending by increasing taxes, especially on the rich and big corporations, and reducing defense spending. Con-

servative Republicans will fight to keep defense spending unaffected by fiscal stringencies and seek to save money by reducing domestic spending rather than raising taxes.

America will be extremely fortunate if the world becomes so much kinder and gentler in the 21st century that a significantly diminished defense capability does not diminish our security. It will be extremely unfortunate if our people decide that the best way to avoid all the other hard fiscal choices is by hoping the world is a safe place, and reducing our defense outlays as if that wish were a clear-eyed assessment. Defense spending is a Goldilocks problem: it's ideal to get it just right, rather than have too few tanks and ships to defeat or intimidate enemies, or have too many, with the redundant ones sopping up funds that could have been put to more urgent uses by the government, or left in taxpayers' and lenders' bank accounts.

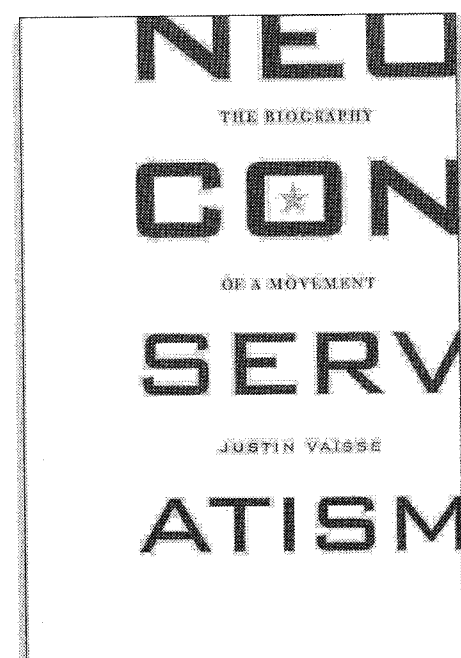
But national security is also an epistemological and risk-management problem. The future will contain too many surprises, including terrible ones, to know with a high degree of confidence the size and configuration of a "just right" defense capability. We can say, however, that though the penalty for having one more aircraft carrier than the country needs will be measured in dollars, the penalty for having one fewer than some dangerous contingency proves that we should have had will be measured in lives.

If Americans decline to deliberately increase their vulnerability in a dangerous world, then the political fights over fiscal policy will be waged between conservative advocates of lower domestic spending and liberal proponents of higher taxes. This is where Paul Ryan's "Roadmap for America's Future" comes in, and why it has made him famous. Ryan's roadmap lays out an ambitious, even audacious, plan to solve America's fiscal problems—entirely on conservative terms. The plan's details are extensive, and interesting, but the key is the larger goal the roadmap's provisions serve. According to Ryan, "The purpose of the Roadmap is to get spending in line with revenue—not the other way around." Getting spending in line with revenue means, in the words of Josh Barro and Reihan Salam of *National Review*, making the federal budget "sustainable on tax revenues equaling 19 percent of GDP, a rate close to the post-war average."

A Way Forward

THE RYAN ROADMAP PROPOSES DRAMATIC changes in the way the government taxes and spends. On the revenue side, the guiding idea is that our convoluted tax system is economically debilitating; and the exploitation of its endless intricacies by citizens savvy

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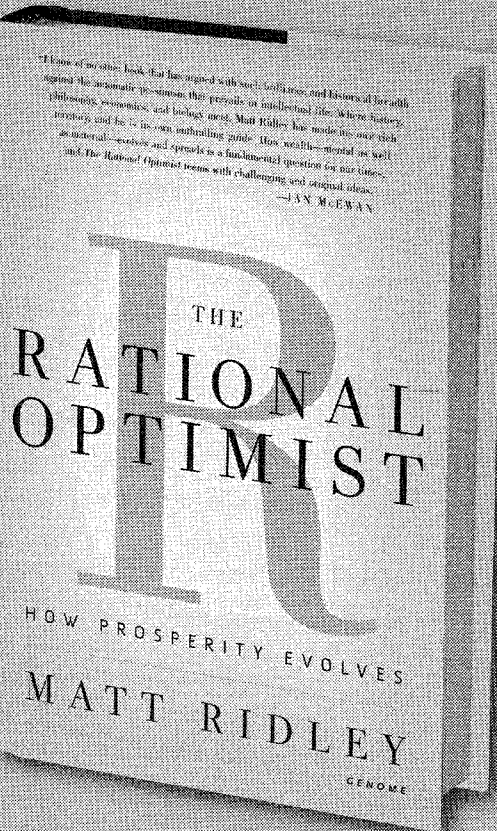


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HARPER

and determined enough to avoid or reduce their taxes is politically debilitating. The existing tax code, says Ryan, is "needlessly complex and manipulative." His roadmap:

- Provides individual income taxpayers a choice between the existing tax system and a highly simplified code that fits on a postcard, one with just two rates—10% on income up to \$100,000 for joint filers, and \$50,000 for single filers; and 25% on taxable income above these amounts.
- Replaces, in the postcard option, special tax deductions, credits, or exclusions with a sizeable standard deduction and personal exemption (totaling \$39,000 for a family of four).
- Eliminates the alternative minimum tax.
- Eliminates taxes on interest, capital gains, dividends, and the estate tax.
- Replaces the corporate income tax—currently the second highest in the industrialized world—with a business consumption tax of 8.5%.

As for government spending, the core idea behind the roadmap is to means-test entitlement programs, including Social Security, and "voucherize" defined-benefit programs, like Medicare, turning them into defined-contribution programs. The changes offer an implicit swap. In their capacity as taxpayers, Americans will be rescued from decades of relentless pressure for tax increases to pay for all the entitlement promises made long ago. In their capacity as beneficiaries of big programs like Social Security and Medicare, however, Americans will have to make up for those programs' leaner budgets by devoting additional attention and private wealth to financing their lives' final chapters. The roadmap would:

- Freeze non-defense discretionary spending for ten years, and then subject it to a growth cap;
- Replace the current exclusion of employer-provided health insurance from taxation with a tax credit—\$2,300 for individuals and \$5,700 for families—available to all individuals to offset the purchase of a health insurance policy, the central idea of John McCain's 2008 health care proposal;
- Preserve the existing Social Security program for those 55 or older, and change it for everyone else by means-testing its benefits and extending the increase in the eligibility age, currently rising from 65 to 67, on to age 70;

- Preserve the existing Medicare program for those 55 and older, and restructure it completely for everyone else. In Barro and Salam's summary, "Instead of being put on a government-run plan, you would get a subsidy to purchase health insurance in the individual market. Additionally, the program would be means-tested (you get a smaller voucher if you're wealthier), and the eligibility age would gradually rise to 69.5 from the current 65."

A Congressional Budget Office analysis of the Ryan roadmap said that it put the nation on track to pay off the entire national debt in 2080 after two decades of budget surpluses. It predicted the roadmap would reduce federal outlays to 19% of GDP by 2020, 16% by 2060, and 14% by 2080, a level not seen since the start of the Korean War. The CBO did not pass judgment on whether the roadmap's stated goal of generating taxes equal to 19% of GDP would be met. If its tax changes cost the government significant amounts of revenue, of course, then the deficit- and debt-reduction goals would be postponed or negated. According to an estimate by the Tax Policy Center (TPC), a joint venture of the Urban Institute and Brookings Institution, the roadmap would not achieve its revenue goals, securing taxes equal to a bit less than 17% of GDP in 2020, compared to the 18.6% Ryan anticipates. The value of the difference between TPC and Ryan's revenue estimates is \$500 billion for the year 2020 and \$3.7 trillion for the decade it concludes.

Rather than get into a contentious, mystifying, unresolvable debate over predictions and mathematical models, Ryan's office issued a simple response to the TPC report, saying that if the two brackets and rates in the roadmap's tax system proved to generate less than the desired 19% of GDP, the thing to do would be to adjust them until that goal was met. This approach is consistent with Ryan's low-key position that the roadmap is a heuristic device, not a huge take-it-or-leave-it package deal. As he told Douthat, "I'm just trying to get this debate going.... I'm not suggesting that I have all the answers. I'm suggesting that I have an answer, and I'm hoping other people will bring their answers to the table."

Stepping Back

RYAN'S EFFORT TO BRING SPENDING IN LINE with revenues is honest in ways that, sadly, are rare among politicians. It is, in the first place, candid about the severity of the spending reductions needed to run the federal government on taxes equal to 19% of GDP. He is not talking about eliminating "waste, fraud and

abuse,” or zeroing out foreign aid while leaving the big social welfare programs Americans have gotten used to unaffected. The roadmap will transform America’s social contract, enshrining the New Deal principle that the nation has a collective responsibility to alleviate and prevent poverty through government actions, while stipulating that these actions should be targeted and limited, replacing the open-ended, universal approach that defines New Deal and Great Society liberalism.

Second, the Ryan roadmap is bracing in the way it faces the magnitude of America’s indebtedness. The bad news it conveys is that America will have to undergo serious, painful surgeries that will leave its entitlement programs much smaller and very different from the ones people have grown accustomed to. The good news is that we will start to enjoy restored fiscal health—after three or four more painful decades. Barro and Salam point out that if Ryan’s roadmap were enacted this year and all the projections on which it rests prove correct, “the public debt would grow as a share of GDP for the next 33 years, peaking at 100% of GDP in 2043. Deficits would not fall below 2% of GDP until 2051 (for comparison, from 1955 to 2004, the average budget deficit was 1.9% of GDP).” There’s a good chance, in other words, that the roadmap is both a drastic plan and an inadequate one.

Third, while Ryan proposes a simpler tax system with lower rates, he eschews the usual Republican rhetoric about how tax cuts always do or necessarily will pay for themselves. The point Ryan makes clearly is one Kevin D. Williamson recently made emphatically in *National Review*, where he is the deputy managing editor. Williamson argues that income tax cuts do *not* pay for themselves—at the upper end of their self-regenerating revenue capacity, tax cuts replace, by expanding the tax base, about 30 cents of every dollar the government loses. Since 1980 Republicans have invested heavily in the hope that tax cuts would either be revenue-neutral, rendering spending cuts unnecessary, or would “starve the beast” and make spending cuts irresistible. Instead, writes Williamson, “The results speak for themselves: Tom DeLay and Dennis Hastert and Trent Lott and Bill Frist all know how to count, but, under their leadership, Republicans spent all the money the country had and then some.”

It is significant, then, that the ambitious fiscal plan is rightly identified as the Ryan Roadmap, not the Republican Roadmap. The *American Spectator*’s Philip Klein points out that Republican leaders have

tried to distance themselves from the proposal, emphasizing that while it contained good ideas, Ryan’s plan wasn’t the official

Republican budget. In an election year during which the GOP is poised to make big gains, Republicans don’t want to give Democrats an easy opportunity to paint them as the party keen on destroying Social Security and Medicare.

It is equally significant, however, that while some Democrats have praised Ryan for his roadmap’s honesty, and others have gloated about the startling alterations it would make to the social safety net, no Democratic politician or liberal organization has seen fit to *emulate* the Ryan roadmap. Ryan wants to get spending in line with revenues, and lays out clearly what that aspiration entails. His liberal detractors want to get revenues in line with spending, but are coy and disingenuous about the consequences.

Paul Ryan wants to get spending in line with revenues, and lays out clearly what that aspiration entails. His liberal detractors want to get revenues in line with spending, but are coy about the consequences.

Tax Increases

A RECENT EDITORIAL BY FORMER REPRESENTATIVE Barbara Kennelly (D-CT), president of the National Committee to Preserve Social Security and Medicare, makes the ultimate goal clear by its title, “Hands Off Entitlements.” Preserving Social Security and Medicare does *not* mean adapting social insurance programs created decades ago to changing demographic, technological, and fiscal circumstances. Rather, it means treating every provision of the existing programs that provides benefits and has engendered constituencies as unalterable for all eternity. How can we afford this? According to Kennelly, by: 1) slowing the growth of health-care spending, a goal politicians and activists have been calling for and failing to deliver for ages; 2) “closing the long-term Social Security shortfall,” in ways that she does not specify, but that are going to be made more

difficult to attain by her insistence that “we can’t afford not to preserve and *strengthen* [emphasis added] this basic retirement income for Americans”; and 3) “revisiting our tax priorities.”

In other words, option #3 is going to be called upon to solve the bulk and probably the entirety of our debt crisis. The reassuring suggestion that a friendly visit or edifying field trip to our tax priorities will suffice is, however, wholly deluded or dishonest. Rosanne Altshuler, Katherine Lim, and Robertson Williams, researchers at the Tax Policy Center, have brought indispensable clarity to this discussion. In a paper published earlier this year, “Desperately Seeking Revenue,” they address a simple question: what kind of tax increases would be necessary, with no spending changes, to reduce the federal deficits expected in the five-year period from 2015 through 2019 to 2% of GDP, as opposed to deficits in the range of 6 to 7% of GDP that are the likeliest result of leaving current tax and spending policies on auto-pilot? Deficits of 2% of GDP may not sound like a heroic or even adequate accomplishment, but they would make an important difference. Assuming the economic growth rate reverts to its historical average of more than 2%, deficits of that size would mean that the national debt would be *shrinking* as a percentage of GDP over that five-year period rather than increasing, giving America’s economy some desperately needed breathing room.

Even to close the deficit gap only to 2% of GDP, however, will require tax increases that are, in the arcane jargon of the economics profession, very, very big. The alternatives include:

- Increasing every federal income tax rate, including those on capital gains and dividends, by 49%. The current 10% bracket, the lowest, would become a 14.9% bracket, and the top bracket would increase from 35% to 52.1%.
- If the spirit of egalitarianism and the correlation of political forces dictate that the lowest three income tax brackets remain unchanged at 10, 15, and 25%, then the goal of reducing deficits to 2% of GDP by 2015 through tax increases alone will require that the top three marginal rates be increased to more than twice their current level: the 28% tax bracket would become a 60.8% bracket; the 33% rate would increase to 71.7%; and the 35% tax rate would soar to 76.1%. Effectively, taxpayers in the top quintile of the income distribution would be made to assume the entire burden of reducing the federal deficit.
- We could take an even more egalitarian approach, honoring Barack Obama’s buffoonish campaign promise that no individual making less than \$200,000 per year, or family mak-

ing less than \$250,000, would see any form of tax increase under his administration. To fulfill that pledge, and reduce the deficit to 2% of GDP, the 28% tax bracket remains unchanged, while the top income tax rates would increase from 33 and 35% to 85.7 and 90.9%, respectively. Without mentioning the Laffer Curve analysis of how higher tax rates eventually lead to lower tax revenues, the authors of the Tax Policy Center paper note that confining large tax increases to the top precincts of the income distribution "would impose substantial efficiency costs on the economy, raise less revenue than generated in our simple simulations that ignore behavioral effects, and meet with great political opposition."

- Curtailing or abolishing all itemized deductions, including the ones for mortgage interest and charitable contributions, would mitigate these rate hikes. But not very much. Limiting itemized deductions to all taxpayers to the dollar-value they provide to taxpayers in the 15% tax bracket would generate an additional \$165 billion by 2019, 21% of the \$775 billion necessary to reduce the deficit to 2% of GDP. Doing away with itemized deductions altogether would raise \$296 billion in 2019, 38% of the total needed to reach the 2%-of-GDP deficit goal.

You can bet the rent—hell, you can bet the national debt—that none of these astounding tax increases will ever be enacted. But it's equally unlikely that America will completely transform its social insurance system in the ways defined by Paul Ryan's roadmap. The first result would require liberals to win a series of electoral victories that obliterate conservatism as a political force, leaving Democrats free to steer America back toward solvency by relying entirely on tax increases. The second outcome requires conservatives to drive liberalism off the American political map, leaving Republicans free to make all the social welfare spending cuts needed to reduce the deficit without increasing any taxes.

A Test of Self-Governance

IF NEITHER OF THESE TECTONIC SHIFTS HAPPEN—if the American electorate remains dubious enough about high taxes to keep conservatism viable, and apprehensive enough about a radically leaner and better targeted

welfare state to keep liberalism viable—then the resolution of America's debt crisis will be a compromise incorporating both tax increases and spending cuts. William Galston contends that the only way to restore solvency and secure prosperity is through such a "grand bargain." Everyone knows what it will look like, he writes:

Relative to the current baseline, revenues must rise substantially, but in the way most conducive to long-term economic growth. Relative to the current baseline, expenditures must fall substantially, but without hurting those who are least able to make it on their own. And there is no way to do this without modifying the large programs whose mandated spending rises in response to demographic and technological change. Congressman Paul Ryan will not get his way. Nor will the National Committee to Preserve Social Security and Medicare.

The grandness of any actual bargain along these lines may be doubted. It would come as a happy surprise to most Americans if our elected officials could cobble together a solution that was neither squalid nor stupid.

We can make a safe prediction about the nature of the deficit reduction compromise that does emerge, either all at once or over the course of several years: the ratio of dollars from taxes, and ones from spending reductions, will correspond closely to the ratio of votes between liberals and conservatives in the nation at large. To the extent that the liberal enterprise dominates the coming decade in American political life, when the hard decisions must be made if they are ever to be made, tax increases will be the dominant mechanism for taming the deficits, and spending cuts will be relatively few and mild. To the extent conservatism is politically ascendant, America will scale back the welfare state first, and raise taxes only when further spending cuts prove intolerable.

First things first, however. To say that America will be irreparably weakened if it fails to re-commit to sound fiscal policies is not the same as saying that such purposeful sobriety is assured. The debt debate will be a central test of self-governance for Americans in this century. A growing cohort of critics has already begun writing obituaries for the republic, arguing that

our fundamental problem is not that we don't have a government as good as our people, but that we do. We're sinking beneath the waves, in other words, because Americans are implacable children who demand an extensive welfare state *and* low taxes, *and* refuse to acknowledge that the two are irreconcilable. If that's true, if the American people really are that stubborn and unreasonable, then the country is indeed ungovernable and will borrow its way, gradually and then suddenly, into poverty, weakness, and disorder.

But maybe that's not true. Too few politicians have treated Americans as adults, capable of realizing that our social insurance system cannot, over the long haul, confer more in benefits than it secures through taxes. The growing structural budget deficit confronting America either will elicit mature leadership and followership, causing our country to align the commitments we are willing to make with the sacrifices we are willing to require—or it won't. Leaders worthy of the name must find the language that will make their fellow citizens understand the dimensions and urgency of the fiscal crisis. If their statesmanship is repudiated by voters who demand both New York City's social welfare system and Idaho's tax structure, *then* we'll have a compelling empirical basis for predicting what the collapse of the American experiment in self-government will look like. We should not conclude that a government of grown-ups, by grown-ups, and for grown-ups will perish from the earth, however, until we've made strenuous efforts to re-establish it.

Representative Ryan deserves the last word on this subject. Defending his penchant for offering solutions commensurate to the scope of the nation's problems, rather than evincing the courage of his focus groups' convictions, Ryan told an interviewer,

This is my 12th year [in Congress]. If I lose my job over this, then so be it. In that case, I can be doing more productive things. If you're given the opportunity to serve, you better serve like it's your last term every term. It's just the way I look at it. I sleep well at night.

William Voegeli is a contributing editor of the *Claremont Review of Books* and the author of *Never Enough: America's Limitless Welfare State* (Encounter Books).

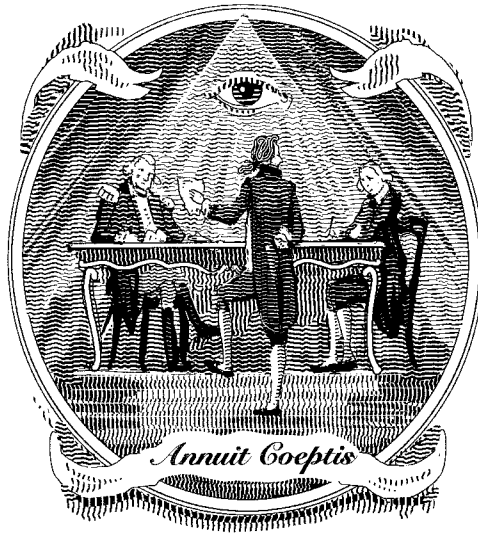
ORIGINAL INTENTS

God and the Founders: Madison, Washington, and Jefferson, by Vincent Phillip Muñoz.
Cambridge University Press, 252 pages, \$24.99

EVERY AMERICAN WOULD AGREE THAT religious liberty is a fundamental principle of our constitutional order. But one cannot go much further than that without encountering difficulties. Is religious liberty fostered, or hindered, by various government actions that attempt to honor the importance of faith in most Americans' lives? Are the activities of churches or other religious organizations properly subject to government regulation—and if so, which activities? Do the claims of religious faith require the state to allow private behavior that would be prohibited for anyone *not* relying on the claims of faith? In separating public authority from the authority of revelation, did the Constitution's framers elevate an aggressive Enlightenment secularism as the paradigm of American citizenship and public discourse?

In *God and the Founders*, University of Notre Dame political science professor Vincent Phillip Muñoz sheds welcome light on these questions with rare theoretical rigor, practical wisdom, and historical depth. What is particularly welcome is his ability to clarify what is confusing, and to confuse what is too often taken to be clear. Challenging the view of some originalists that we can find "a uniform understanding of the proper relationship between church and state" among the founders, he demonstrates that instead there was significant disagreement among them "about the meaning of religious freedom and how church and state ought to be separated." Focusing at length on the "church-state political philosophies" of James Madison, George Washington, and Thomas Jefferson, Muñoz shows that these leading founders had very different views on this thorny subject.

Madison's was probably the most philosophically rigorous. Holding fast to a principle Muñoz calls "noncognizance," Madison "maintained a sustained commitment to the maxim that the state may neither privilege nor penalize citizens on account of their religion." His principle forbade any support on the government's part for religion in general, since the government was prohibited from taking any notice of religion whatsoever. To use chaplains in the armed forces, to accord tax exemptions to churches that would not be available to non-religious organizations, or to exempt citizens on religious grounds from laws that were generally



applicable—these would all be out of bounds for Madison. But not because of any hostility to religion; on the contrary, Madison believed that faith would best flourish in a political order that could neither caress it nor kick it around.

Muñoz finds Thomas Jefferson's views to be further from Madison's than is generally thought. Digging deeper into Jefferson's words and deeds than many have done, he shows the third president's abiding principle to be a form of "anticlericalism." Convinced that "irrational" faith in miracles and the like had the effect of putting dangerous political power in the hands of clergymen, Jefferson was willing to countenance outright state discrimination against organized religion—barring ministers from public office, for instance.

The book's biggest surprise is George Washington. It is a fine thing that he is included at all; Muñoz makes a nice contribution to the ongoing rediscovery of Washington as a serious thinker in his own right. Of the founders considered here, our first president was the one most in favor of government's active encouragement of religion. Although the remarks of Washington's Farewell Address on this subject are well-known, and are paid proper attention here, Muñoz draws additional, important insights into Washington's views from his military career and his presidency. From his use of military chaplains, to his impatience with the claims of the religiously scrupulous to avoid military service, to his initial support of tax subsidies for Virginia churches, to his manner of addressing religious groups and the wider public with pious but nonsectarian rhetoric, we can see that Washington followed a policy of "ecumenicalism," but one that subor-

dated the claims of conscience to the claims of good republican citizenship.

FOLLOWING THE EXPLORATION OF EACH man's view on its own terms, Muñoz makes an extended foray into how each of these founders would probably have voted in the most consequential cases that have arisen in the last several decades under the First Amendment's Establishment and Free Exercise Clauses. One might find these pages dense at times, but the analysis is painstaking and the payoff is profound: it seems that if we are to rely on the founders for the answers to our interpretive problems, we have very different paths from which to choose.

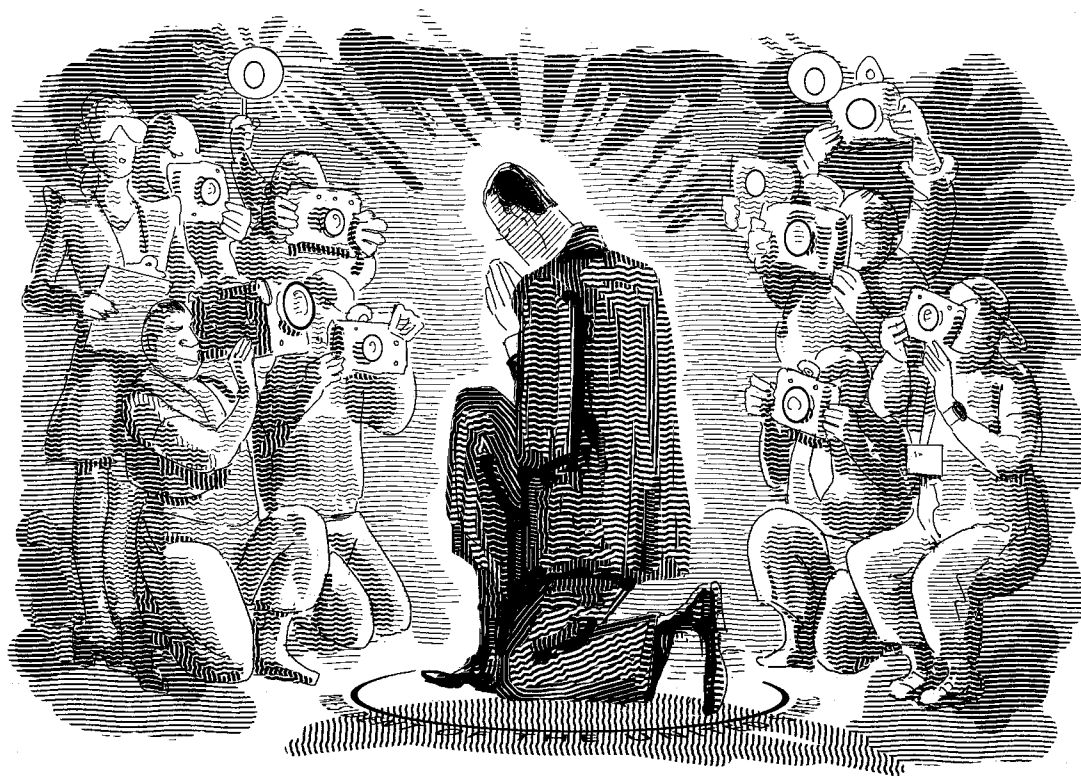
In the end, Muñoz opts for a modified Madisonian approach, a principle of "no legal privileges, no legal penalties," as providing the most advantageous and just accommodation between faith and politics. But one could equally choose Washington or Jefferson and claim the founding's imprimatur. And Muñoz does not consider that Madison's church-state thinking reflects a kind of judicial temperament, whereas Jefferson seems to think chiefly in lawmaking categories, seeking to impart a certain shape to American society as a founder-legislator, while Washington (not surprisingly) thinks like an executive, responsible for the orderly lawfulness of a people who already have well-formed habits and need to get along with each other. Thus these three founders seem to embody the separation of powers, raising the further question of who should claim interpretive authority over the First Amendment.

Given the variety of views among the American Founders, does Muñoz reject originalism? On the contrary, he promises a second book in which he will discuss "the original meaning of the First Amendment's religion clauses." Although this will be a very welcome sequel, *God and the Founders* already stands as a first-rate work of history and jurisprudence on the space that our republic makes for the faith of its people.

Matthew J. Franck is director of the William E. and Carol G. Simon Center on Religion and the Constitution at the Witherspoon Institute in Princeton, New Jersey.

THE PRAYERS OF PRESIDENTS

Religion and the American Presidency: George Washington to George W. Bush,
edited by Gastón Espinosa. Columbia University Press, 400 pages, \$34.50



I'm privileged to join you once again, as my predecessors have for over half a century. Like them, I come here to speak about the ways my faith informs who I am—as a president, and as a person. But I'm also here for the same reason that all of you are, for we all share a recognition—one as old as time—that a willingness to believe, an openness to grace, a commitment to prayer can bring sustenance to our lives.

—President Barack Obama,
Remarks at the National Prayer Breakfast,
February 4, 2010

EVERY PRESIDENT HAS MADE A POINT OF speaking to and praying with the National Prayer Breakfast since its inception in 1953. But the tradition of presidents discussing religion, invoking God, and even leading the nation in prayer goes back much further. A cursory search of the invaluable American Presidency Project website (www.presidency.ucsb.edu) identifies almost 5,000 presidential uses of the word “pray” (in official speeches and documents), more than 3,000 instances of “prayer,” and a whopping 10,984 presidential mentions of God, which doesn’t begin to take into account the various locutions—“the Beneficent Parent of the Hu-

man Race” and “the Giver of Every Good and Perfect Gift,” among many others—by which presidents have referred to the Supreme Being, the Almighty, the Lord of Hosts.

By contrast, American presidents officially mention Jesus relatively infrequently—only 267 times (and some of those references are either to the Church of Jesus Christ of the Latter-Day Saints, or to the Hispanic name). Indeed, Calvin Coolidge seems to have been the first president explicitly to mention Jesus in an official presidential utterance, in a very interesting speech delivered at the unveiling of an equestrian statue of Francis Asbury, our first Methodist bishop. Among Coolidge’s successors, Bill Clinton most frequently invoked Jesus’ name (43 times), followed closely by Ronald Reagan (39). If Jimmy Carter had served two terms, he would probably have set the bar even higher. Having officially mentioned Jesus eight times in the first eighteen months of his presidency, President Obama is keeping pace with his recent Democratic predecessors and is on track to double George W. Bush’s relatively paltry count of 29.

These two facts—the massive evidence of official presidential recognition of basically monotheistic religion and the relative paucity of explicit references to Christianity (1,465 uses of the word “Christian” and 137 of the word

“Christianity”)—in some measure frame the subject of Gastón Espinosa’s very useful volume, which collects authoritative essays on 13 presidents from George Washington to George W. Bush and offers an array of documents, almost all taken from the American Presidency Project website. Taken together, the essays and documents remind us of both religion’s place at the core of American public discourse and the president’s role as a principal contributor to that discourse.

Of course, the subject of religion and the American presidency is hardly exhausted by a consideration of presidential speeches. The essays in this volume explore the religious biographies of the selected presidents and the influence of faith on the policies they pursued. Thus we learn from Daniel L. Dreisbach and Jeffrey H. Morrison how George Washington “used religion as a unifying force in the new nation,” from Gary Scott Smith about the role of prayer in Franklin Roosevelt’s decision-making, from Elizabeth Edwards Spalding about the religious dimension of Harry Truman’s decision to use nuclear weapons, from Thomas J. Carty about John F. Kennedy’s strategic move from Roman Catholic congressman to secular president, from Paul Kengor about the role of religion in Ronald Reagan’s opposition to abortion and to bigotry of all sorts, and from Es-



pinosa himself about the role of Roman Catholic social teaching in Bill Clinton's presidency.

The volume is certainly sufficient to give the lie to the claim—all too common during his administration and still in vogue among the partisans of progressive “science,” including, on some occasions, his successor—that George W. Bush's approach to the presidency and behavior in office were distinctively, perniciously, and unjustifiably religious. Almost all our presidents were raised in one or multiple religious traditions; and reflect—not, of course, always in sophisticated or profound ways—religious faith in their lives, both private and public. Some are the representatives of liberal or progressive traditions, others of conservative ones. Like their fellow citizens, presidents are compelled to use other sources of information, as well as their own prudence, to draw practical conclusions for public policy.

IN HIS CONCLUSION, ESPINOSA MAKES TWO observations worth noting, pondering, and (perhaps) disputing. The first is that, while never “anticlerical [or] anti-Christian, American civil religion became increasingly theistic and imbued with Christian themes in the latter half of the 20th century. Throughout this century, but especially since Carter's election in 1976, it has also had something of a Christocentric flavor.” Given the manner in which presidents have since the beginning called (albeit not necessarily annually) for days of thanksgiving and “humiliation, fasting, and prayer,” it is hard to imagine that the civil religion of the last 60 years, in contrast to previous eras, is “increasingly theistic and imbued with Christian themes.” Consider this example:

As the safety and prosperity of nations ultimately and essentially depend on the protection and the blessing of Almighty God, and the national acknowledgment of this truth is not only an indispensable duty which the people owe to Him, but a duty whose natural influence is favorable to the promotion of that morality and piety without which social happiness can not exist nor the blessings of a free government be enjoyed; and as this duty, at all times incumbent, is so especially in

seasons of difficulty or of danger, when existing or threatening calamities, the just judgments of God against prevalent iniquity, are a loud call to repentance and reformation....

I have therefore thought fit to recommend, and I do hereby recommend, that Wednesday, the 9th day of May next, be observed throughout the United States as a day of solemn humiliation, fasting, and prayer; that the citizens of these States, abstaining on that day from their customary worldly occupations, offer their devout addresses to the Father of Mercies agreeably to those forms or methods which they have severally adopted as the most suitable and becoming; that all religious congregations do, with the deepest humility, acknowledge before God the manifold sins and transgressions with which we are justly chargeable as individuals and as a nation, beseeching Him at the same time, of His infinite grace, through the Redeemer of the World, freely to remit all our offenses, and to incline us by His Holy Spirit to that sincere repentance and reformation which may afford us reason to hope for his inestimable favor and heavenly benediction....

President John Adams issued this proclamation on March 23, 1798; it is difficult to conceive a presidential proclamation *more* “theistic and imbued with Christian themes.” To be sure, it is highly unlikely that anyone in Adams's generation would proclaim that Jesus is his favorite political philosopher because “He changed my heart.” But the confessional style of contemporary evangelicalism owes as much to popularized psychology as it does to Scripture.

In a sense, Espinosa is on more solid ground when he observes the prominent role that evangelicals have recently played in the presidency and in American political culture generally. As he notes, this evangelicalism has come with an exceptional openness to religious pluralism, accommodating an increasingly diverse array of voices in the public square. Although strict separationists cannot be pleased either by frank presidential testimonies or by gestures that seem to place the prestige of the office behind

revealed religion, the mutual respect of people of different faiths under the experience of pluralism suggests that attempting to marginalize religion is hardly the most effective way to ensure peaceful coexistence among different religious traditions.

ESPINOSA'S SECOND OBSERVATION IS THAT immigration may actually bolster evangelical and charismatic Protestantism in the American religious marketplace. If this is true, then the personal and confessional style of our last three Southern presidents (Carter, Clinton, and George W. Bush) will continue to resonate well with the American public, native-born and immigrant. Supporters of the Freedom From Religion Foundation or Americans United may not be happy about this, and conservatives shouldn't necessarily be, either. Evangelicalism and Pentecostalism are typically associated with a relatively strong call to traditional morality, but this does not always translate into support for moral, or political, conservatism.

As I noted earlier, there is a gap between faith commitments and public policy. We may agree that we are called to help the least among us, but disagree about how to go about doing so. It is surely possible to make the case that a marketplace that generates great wealth provides great opportunities for those at the bottom of the economic order. Yet to procure a hearing from Americans for whom the biblical injunction looms largest (or at least large), the case has to be made in a way that acknowledges that the least among us have a claim on our attention and compassion. The lyrics for the conservative hymnbook cannot be written only by practitioners of the dismal science.

At the same time, a president who taking his oath of office with his hand on a Bible, speaking frankly about the role of prayer in his life, and encouraging any and all faiths to bear witness in the public square, reminds us that a nation *under* God is not to be worshipped. Properly understood, this principle serves to limit both our expectations of government and government itself. What more salutary contribution could religion make to our public life?

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Book Review by Mackubin Thomas Owens

THE FOG OF WAR

The American Civil War: A Military History, by John Keegan.
Alfred A. Knopf, 416 pages, \$35 (cloth), \$16.95 (paper)



JOHN KEEGAN IS ONE OF THE GREATEST MILITARY historians of our day. The author of some 20 books, including the acclaimed *The Face of Battle* (1976), *The Price of Admiration* (1988), *A History of Warfare* (1993), and two excellent overviews of the great wars of the 20th century, *The First World War* (1998) and *The Second World War* (1990), his magnificent track record makes his new study all the more disappointing.

I expected *The American Civil War: A Military History* to be similar to Keegan's remarkable account of World War II, a masterpiece of clear, narrative history. Unfortunately, despite flashes of brilliance, *The American Civil War* adds little to our understanding of the great conflict. Those who seek a comprehensive military history of it would be better served by consulting the late Russell Weigley's *A Great Civil War* (2000) or David Eicher's *The Longest Night: A Military History of the Civil War* (2001).

Keegan's book suffers from two sets of problems: conceptual and editorial. The former arise from Keegan's failure to "connect the dots" by providing a truly comprehensive overview of the war; *strategy*, the plan for using available means to achieve the political goals of the war; *campaigns*, a series of related operations, including movements, battles, and support operations,

designed to achieve a strategic objective within a theater of operations; and *battles*, tactical engagements that may or may not have an impact beyond the particular battleground. As a result, the narrative is disjointed.

In addition, Keegan persists in conflating battles with campaigns, missing a golden opportunity to demonstrate the thread linking both to strategy and the political goals of war. For instance, rather than his approach of viewing the Seven Days' Battles, Second Manassas/Bull Run, and Antietam as isolated events, it would be more fruitful to see them as parts of a unified campaign, during which Confederate General Robert E. Lee's objective was, first, to save Richmond, which was in danger of falling to a Union siege, and second to inflict the sort of catastrophic defeat on a Union force that he thought necessary to persuade the North that the cost of subduing the Southern Confederacy was too great. Thus Lee's attack on McClelland at Beaver Dam Creek on June 26, 1862, which initiated the Seven Days' Battle; the maneuvering of Confederate armies in July and the battles of Cedar Mountain and Second Manassas in August; and the invasion of Maryland, culminating in the battle of Antietam in September came about because of a unified and calculated attempt by Lee to win the war in the summer of 1862.

Keegan knows that wars are not fought for their own purposes but to achieve political ends. Accordingly, a military history must address the goals of the war before it can address questions of strategy. To his credit, Keegan recognizes Lincoln's central role in developing Union strategy. As James McPherson has noted, the 16th president was a better strategist than any of his generals, and his initial war aim was to preserve the Union. Lincoln's initial approach, contemptuously called the "Anaconda Plan" in the press, provided the outline of Union strategy throughout the war: to squeeze the Confederacy by blockading Southern ports and dominating the inland waterways. This framework was later fleshed out by Lincoln's "concentration in time," the simultaneous or at least coordinated application of military force at multiple points, making it difficult for the Confederacy to defend its territory.

A good strategy transcends purely military considerations. Thus, although Lincoln initially avoided interfering with the institution of slavery, it soon became clear to him that "soft war" would not work, and that more extreme measures were required. As he wrote to Cuthbert Bullitt in late July 1862, the time had come to stop waging war "with elder-stalk squirts, charged with rose water." The most powerful instrument available to Lincoln was to attack

the Southern social system, based on slavery, by issuing the Emancipation Proclamation. Although Keegan pays tribute to Lincoln as an intuitive strategist, he never discusses emancipation as an instrument of Union strategy.

KEEGAN'S TREATMENT OF CONFEDERATE strategy is also problematic. For one thing, he does not make it clear that Jefferson Davis, unlike Lincoln, never acted as strategist-in-chief. There was no central voice in making Confederate strategy. Keegan criticizes Lee for not fulfilling this role, but he was not general-in-chief (until the last two months of the Confederacy, when it was too late) but a commanding general of a field army. When it did emerge, Rebel strategy was complicated by the Confederates' departmental system, which ceded military operations to regional commanders. As a result, Confederate military operations were often uncoordinated.

Keegan treats Confederate strategy as purely defensive. But despite Davis's claim that the Southerners sought "no conquest, no aggrandizement," it seems clear that the Confederacy envisioned an empire stretching north to the Mason-Dixon Line and the Ohio River, and west to the Colorado. This empire would have contained all 15 slave states, including those that had not seceded, and two existing U.S. territories, New Mexico and the Indian Territory south of Kansas. In keeping with this grand vision, the Confederacy admitted Missouri and Kentucky to statehood, despite the lack of a secessionist majority in either state; initiated treaties with the Indian tribes; and dispatched an expedition to conquer the New Mexico Territory. In January 1862, the Confederate Congress organized a separate Arizona Territory.

There is evidence that the Confederacy envisioned an even more expansive empire. In his famous "Cornerstone" speech at Savannah on March 21, 1861, Alexander Stephens, newly installed as the Confederate vice president, claimed that "we are now the nucleus of a growing power, which, if we are true to ourselves, our own destiny, and our high mission, will become the controlling power on the continent." Stephens made it clear he expected the Confederacy to grow by the accession of more states from the old Union (seven had by then seceded), including not only the other slave states

but also "the great States of the North-West." These free states could be accommodated, he said, when "they are ready to assimilate with us in principle."

These points go a long way toward explaining Confederate campaigns in Maryland, Kentucky, and Pennsylvania. But one will not find any discussion of them in *The American Civil War*.

THE VOLUME IS NOT WITHOUT ITS strengths. One is Keegan's ability to place the war and its concomitant developments within the broader context of trans-Atlantic military and political history. He shows that many American practices, e.g., fiscal policies to finance the war and the practice of "volunteering" for military service reflected an approach to war similar to that of the British. He also compares the operational aspects of the war to those of earlier and contemporary European wars. One of his conclusions seems remarkable for someone writing from the other side of the Atlantic:

By 1865, [both the Union and Confederate armies]...had grown into the largest and most efficient armies in the world.... Though dismissed by European military grandees as amateur and unprofessional, each, but particularly the United States Army, outmatched the French, the Prussian, and the Russians in up-to-date experience, and, but for the interposing Atlantic, would have threatened any of them with defeat.

It must be said that Keegan's understanding of military geography, the factor he has called the "Rosetta Stone of all great battles," is profound. Unfortunately, he doesn't apply his insights often enough to the conflict he is examining here. For instance, although the reader will come away with a much better understanding of the geographical imperatives of the 18th-century struggle between the British and French in North America, he will not necessarily grasp the way in which geography made the West—the "heartland" between the Appalachian mountains and the Mississippi River—the key to Union victory. Thus, Keegan doesn't stress the importance of the Tennessee River as the gateway to the heartland that ultimately en-

sured Union victory in the war. He mentions the Tennessee in passing, suggesting that Ulysses S. Grant stumbled onto a strategy for the heartland by seizing Fort Henry on the Tennessee and Fort Donelson on the Cumberland River.

Keegan fails to observe it was Major General Henry Halleck, the overall Union commander in the West until elevated to the command of all Union forces in July 1862, who early on recognized that the Tennessee River constituted the "main line of operation" against the Confederates. By moving up this waterway ("down" on a map), Union forces were able to penetrate deep into Confederate territory, outflanking Rebel forces on the Mississippi River and in Kentucky and eventually seizing—after the bloody battle of Shiloh—the major rail junction at Corinth, Mississippi. After the capture of Corinth, Union forces were able to move east toward Chattanooga (which allowed the Union to penetrate the Appalachian barrier and open the way to Atlanta), to move west to Memphis, and southwest toward Vicksburg.

The second set of problems, those of an editorial nature, cannot, of course, be blamed entirely on the author. The book is often repetitive, a problem that might have been cured by decent editing. But like many publishers these days, Knopf must have concluded that it would cost less to publish a longer book with many redundancies than to hire a good editor who might have put *The American Civil War* into better shape. There are far too many errors, large and small, for a book by a military historian of Keegan's stature. The volume is also out of balance, as Keegan frequently devotes as much or more space to minor clashes as he does to major battles.

I am a great admirer of John Keegan, a distinguished historian and exceptional writer who has educated at least two generations of readers on the realities of war. Unfortunately, his sterling qualities are not often on display in *The American Civil War*.

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STUCK IN VIETNAM

From Colony to Superpower: U.S. Foreign Relations since 1776, by George Herring.
Oxford University Press, 1056 pages, \$35

GEORGE HERRING'S *FROM COLONY TO Superpower* is the latest installment in that excellent series, the Oxford history of the United States. Best known for his distinguished work on U.S. policy in Vietnam, Herring sketches the history of American foreign policy over more than two centuries.

In any book covering such a lengthy period, the author may take one of two approaches: offer some bold reinterpretation of well-known events, or narrate with such an authoritative, grounded, and truly balanced tone as to establish the work as the standard account. Herring aimed for the latter, and has succeeded in writing a lucid, comprehensive, but all-to-conventional history.

A central theme of the volume is American exceptionalism—that the United States has a special destiny in the world. Herring views this belief as bound up with attitudes of cultural and racial superiority, smug parochialism, and unilateralism. He traces these attitudes through the history of U.S. diplomacy, and urges Americans to disenthral themselves of them. The ride engages and sometimes informs, but to describe this conclusion as either novel or unconventional would be seriously misleading. Indeed, it is already received wisdom among academics.

Herring's interpretation of America's Cold War policies, which fills almost half the book, captures his argument. At the beginning and end of each chapter, he strikes a note that is even-handed, and his style is hardly polemical, but the moral is clear: the United States consistently exaggerated the Soviet threat, engaged in unnecessary and immoral interventions overseas, propped up brutal right-wing dictators, and paid a serious price at home in terms of civil liberties, debt, an imperial presidency, and an overly militarized foreign policy. This has been the dominant interpretation among U.S. diplomatic historians for many years now.

But can this view still be sustained, with the continuing archival revelations from existing and former Communist countries? For example, Herring says the Truman Administration exaggerated the threat posed by the USSR under Stalin, but makes no clear argument as to Stalin's actual intentions. No doubt, Stalin wished for tactical, limited cooperation between the major power victors after 1945, but he also saw long-term conflict between the USSR and the West as inevitable, and looked to expand Soviet influence whenever possible. To imply that his foreign policy was not influenced by Marxist-

It is almost as if Herring thinks the United States had no right to compete with the USSR for international influence. Certainly Soviet leaders felt no such compunction.

Leninist ideology is simply inaccurate. Similarly, Herring suggests that the U.S. missed some sort of opportunity for diplomatic settlement with Moscow in the 1950s. But what alternative, acceptable to the USSR and preferable to the one that actually developed, does Herring think existed at the time? He scolds Truman and Eisenhower for their lack of diplomatic effort with Moscow, but never spells out the real world consequences of such hypothetical efforts. For some reason it is usually the United States that errs, by failing to accommodate, while the Soviets' willingness to compromise is taken for granted.

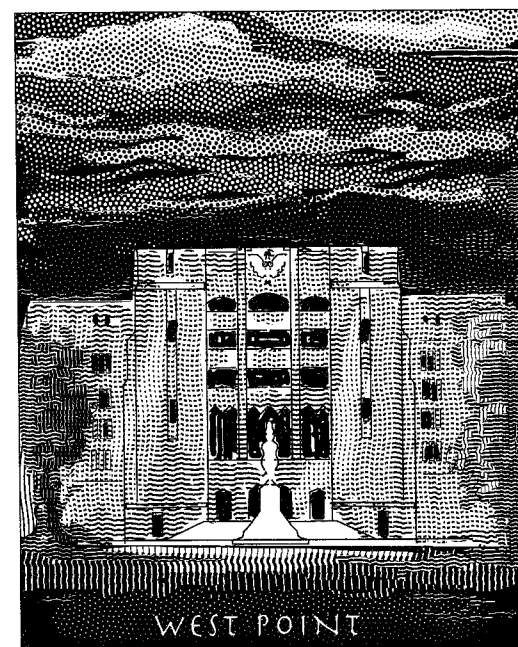
THE MISTAKES MADE BY AMERICAN LEADERS, in Herring's account, are invariably on the side of using too much force and too little diplomacy. He does not see that force and diplomacy must be coordinated in world politics to have any practical effect. For example, Herring chides the Reagan Administration for using covert action in Central America and elsewhere, and for ratcheting up Cold War tensions in the early 1980s. He later praises Reagan for reaching an arms control agreement with the USSR in his second term. Yet it never seems to occur to Herring that perhaps the two were related.

The author insists that the U.S. constantly mistook Third World nationalists for Communists, and therefore engaged in wrongful, unnecessary interventions overseas. But Guatemala's Jacobo Arbenz, Chile's Salvador Allende, and Nicaragua's Daniel Ortega were convinced Marxists as well as anti-American nationalists who received arms and inspiration from Communist countries. It is almost as if Herring thinks the United States had no right to compete with the USSR and its allies for international influence. Certainly Soviet leaders felt no such compunction.

Herring seems to view most American Cold War policies through the lens of his heartfelt opposition to the Vietnam War. But whatever one thinks of it, Vietnam was only one episode in the Cold War struggle, and fixating on it seems generational. As those passions fade, America's overall Cold War policy of anti-Communist containment may come to be seen for what it was: an astonishing success.

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THE CASE FOR THE ACADEMIES



LAST YEAR THE WASHINGTON POST devoted much of its April 19 Sunday Outlook section to a feature called “Spring Cleaning.” The editors asked ten writers to identify, in 300 words or less, an “institution, person, place, event or object...the world should toss out this spring.” In came the answers, including the Nobel Prize in Literature, the NAACP, tenure—even proms. Provocative as these were, none sparked nearly as much controversy as the suggestion offered by the renowned author and military correspondent Thomas Ricks: “Get Rid of West Point.”

Ricks made clear in his first sentence that he wasn’t just picking on the Military Academy. He also wanted to “shut down” the Naval Academy in Annapolis and the Air Force Academy in Colorado Springs—for three reasons. First, the academies take students who are “crackerjack smart and dedicated to national service” and give them “community-college educations” from faculties that are short on doctorates. Second, it costs too much for the academies to produce an officer—about \$300,000 compared with about \$130,000 for a Reserve Officer Training Corps-trained officer attending a civilian university on an ROTC scholarship. Third, we aren’t getting what we pay for. According to Ricks, not only do “graduates of the service academies not stand out compared to other officers,...some commanders prefer officers who come out of ROTC programs because they tend to be better educated and less cynical about the military.”

The article provoked a storm of online reactions, both at the *Post* and at Ricks’s blog at

ForeignPolicy.com. Distressingly few offered extended defenses of the academies, and these varied widely in quality. Cadet Tianyi Xin made some solid arguments in an op-ed posted on the conservative New Ledger website (one of her best points was that West Point produces “60 percent of the officers with hard science degrees—degrees the Army desperately needs”). West Point’s public affairs officer, on the other hand, answered Ricks by reprinting admiring quotations from *Rolling Stone* reporter David Lipsky’s *Absolutely American: Four Years at West Point* (2003). It’s a fine book, but Lipsky has little to say about the academy’s academic life and nothing to say about how West Point compares to ROTC as a training ground for officers.

What was lacking in the debate sparked by Ricks was a thorough appraisal of the service academies and, even more, an evidence-based case for their continued existence. More’s the pity, because the past decade has seen a flowering of serious books about West Point and Annapolis (although not, until this year, a single one about the much younger Air Force Academy). These books come in a variety of genres. Some are scholarly monographs like H. Michael Gelfand’s *Sea Change at Annapolis: The United States Naval Academy, 1949–2000* (2006), Lewis Sorley’s *Honor Bright: History and Origins of the West Point Honor Code and System* (2008), and Lance Janda’s *Stronger than Custom: West Point and the Admission of Women* (2002). Others are memoirs, such as Craig M. Mullaney’s *The Unforgiving Minute: A Soldier’s*

Education (2009), or insider accounts by embedded writers, including Lipsky’s *Absolutely American*, Ed Ruggero’s *Duty First: A Year in the Life of West Point and the Making of American Leaders* (2002), and Diane Jean Schemo’s *Skies to Conquer: A Year Inside the Air Force Academy* (2010). There’s even a nicely (if inadvertently) matched pair of book-length reflections on teaching English to budding officers by civilian professors: Elizabeth Samet’s *Soldier’s Heart: Reading Literature Through Peace and War at West Point* (2007) and Bruce Fleming’s *Annapolis Autumn: Life, Death, and Literature at the U.S. Naval Academy* (2005). Together, these books and two others—Fleming’s *Bridging the Military-Civilian Divide: What Each Side Needs to Know about the Other—and about Itself* (2010) and David Cloud and Greg Jaffe’s *The Fourth Star: Four Generals and the Epic Struggle for the Future of the United States Army* (2009), which traces the influence of West Point’s highly regarded Department of Social Sciences on David Petraeus and other innovative generals—provide most of the raw material needed to decide whether Ricks is right.

ROTC’s Virtues

LET’S BEGIN WITH THE WIDELY ACKNOWLEDGED fact that ROTC does an awfully good job of producing fine officers at a much lower price than the academies. Ricks is even more right about that than he realizes: a 2004 study by the Navy’s own Tench Francis School of Business found that academy-trained

Books mentioned in this essay:

Absolutely American: Four Years at West Point, by David Lipsky. Houghton Mifflin, 336 pages, \$25 (cloth), \$14.95 (paper)

Sea Change at Annapolis: The United States Naval Academy, 1949–2000, by H. Michael Gelfand. University of North Carolina Press, 416 pages, \$34.95

Honor Bright: History and Origins of the West Point Honor Code and System, by Lewis Sorley. Learning Solutions, 180 pages, \$37

Stronger than Custom: West Point and the Admission of Women, by Lance Janda. Praeger, 228 pages, \$106.95

The Unforgiving Minute: A Soldier's Education, by Craig M. Mullaney. Penguin Press, 400 pages, \$28.95 (cloth), \$16 (paper)

Duty First: A Year in the Life of West Point and the Making of American Leaders, by Ed Ruggero. HarperCollins, 341 pages, \$14.95

Skies to Conquer: A Year Inside the Air Force Academy, by Diane Jean Schemo. Wiley, 320 pages, \$25.95

Soldier's Heart: Reading Literature Through Peace and War at West Point, by Elizabeth Samet. Farrar, Straus and Giroux, 272 pages, \$23

Annapolis Autumn: Life, Death, and Literature at the U.S. Naval Academy, by Bruce Fleming. New Press, 288 pages, \$99.98

Bridging the Military-Civilian Divide: What Each Side Must Know about the Other—and about Itself, by Bruce Fleming. Potomac Books, Inc., 288 pages, \$27.50

The Fourth Star: Four Generals and the Epic Struggle for the Future of the United States Army, by David Cloud and Greg Jaffe. Crown, 336 pages, \$28

History of the U.S. Army Cadet Command: Second Ten Years, 1996–2006, by Arthur T. Coumbe. New Forums Press, 412 pages, \$10

Making Citizen Soldiers: ROTC and the Ideology of American Military Service, by Michael S. Neiberg. Harvard University Press, 288 pages, \$27

Army 101: Inside ROTC in a Time of War, by David Axe. University of South Carolina Press, 111 pages, \$24.95

officers cost, not twice, but four times as much to train as ROTC scholarship officers. Defenders of the academies like to say that the cost differential washes out when you consider how much longer academy graduates serve after their five-year active duty service obligation is over. (Scholarship-funded ROTC officers commit to four years.) The evidence on this point is inconclusive. In the past, most generals and admirals were academy grads, but that hasn't been true for quite a while. The same Tench Francis study showed that ROTC began producing more flag and general officers (that is, admirals in the Navy and generals in the Army, Air Force, and Marine Corps) than the service academies by the mid-1980s and have continued to do so ever since. At times during the past two decades only one member of the Joint Chiefs of Staff has been an academy alum. And in the Army as a whole, Arthur T. Coumbe shows in *History of the U.S. Army Cadet Command: Second Ten Years, 1996–2006* (2008), some recent classes of West Point-trained officers resigned their commissions sooner than ROTC scholarship recipients. At the nine-year mark, for example, only 33% of West Point's Class of 1994 graduates were still in uniform, compared with 38% of ROTC officers from that year. Officer Candidate School, the main route for enlisted personnel to become officers, has been taking up some of the slack,

but relying heavily on OCS strips much-needed sergeants and petty officers from the ranks of noncommissioned officers.

What makes ROTC so good? Two recent books supply much of the answer: Michael S. Neiberg's *Making Citizen Soldiers: ROTC and the Ideology of American Military Service* (2002), which recounts ROTC's origins and development through 1980, and David Axe's *Army 101: Inside ROTC in a Time of War* (2007), which chronicles how a unit works today at a typical school (that is, a large, Southern, conservative, public university) that sponsors ROTC, in this case the University of South Carolina.

As Neiberg shows, Congress created ROTC in 1916 to supply the nation's need for, as the name implies, reserve officers. With the coming of the Cold War, the United States began, for the first time, to maintain a large and permanent standing military, and ROTC was charged to supply a majority of newly-commissioned regular officers. But it ran into trouble when the Vietnam War went politically sour in the late 1960s. The problem wasn't university administrators, most of whom, appreciating the program's infusion of scholarship money, have always supported ROTC. Nor were the vast majority of students the problem: two days after the Kent State University shootings in 1970, a poll showed that 75% of KSU students favored

keeping ROTC on campus, barely below the national average of 80%. ROTC's main problem was with faculty members, who had long resented the presence of officers without advanced degrees bearing the title "professor" and offering credit-earning courses that in some cases seemed like little more than marching and drill. And, among students, the small minority of anti-war radicals did place ROTC in their sights. In 1970, for example, Students for a Democratic Society charged that ROTC "produces the officers essential for continuing the United States' genocidal war in South East Asia." The political controversy, Neiberg argues, gave faculty members cover to stop awarding academic credit for ROTC courses, to strip ROTC instructors of their academic titles, and, in the case of Harvard, Yale, Columbia, Stanford, and several other elite private universities, to banish ROTC from campus entirely.

Only in his treatment of these Vietnam-inspired campus controversies is Neiberg's generally excellent book seriously flawed. He overestimates the extent to which professors' hostility to ROTC was sincerely grounded in academic concerns and underestimates their visceral hatred of all things military. But Neiberg is surely right to conclude that, severe as the blows ROTC suffered from the academic Left were, even bigger ones came from the Nixon Administration,

which instituted a draft lottery in 1969 and, four years later, persuaded Congress to abolish the draft entirely in favor of a new All-Volunteer Force. Nixon's actions removed what had been ROTC's best recruiting tool—namely, its appeal to draft-eligible male students who preferred to meet their service requirement as officers rather than as enlisted men.

ROTC Heads South

ROTC RESPONDED TO THESE THREATS TO its viability by getting better. Its officers were encouraged to obtain advanced degrees (no more marking a cadet wrong because he identified a constellation as Cassiopeia instead of the Army-preferred "Big M," as happened at the University of Illinois); and they began offering solid courses on subjects like military history and civil-military relations instead of old mainstays like "Military Publications... their indices, filing, and use." ROTC opened its door to women and for the first time actively recruited racial and ethnic minorities. (Interestingly, ROTC's exclusion of women and spotty record on minorities never came up in the faculty debates that led to its marginalization or outright banishment.) Most important, ROTC moved south, where it was greeted with open arms. From 1968 to 1974, the Army closed 30 units at Eastern schools and opened 33 in the South, both at predominantly white universities like Old Dominion and predominantly black universities like Norfolk State. At the start of this six-year period, there were 123 ROTC units in the East and 147 in the South. By the end, Southern units outnumbered Eastern ones 180 to 93.

Testimony to how well ROTC has adapted to the All-Volunteer Force can be found in Axe's thick description of University of South Carolina's Gamecock Battalion. A freelance war correspondent, Axe spent enough time in 2004 with the Army unit's 80 cadets to develop a strong sense of how ROTC works. During the academic year, every week includes several days of early morning physical training and coursework on military history and theory; in addition, cadets receive weekly and sometimes weekend training in how to fight in squads and platoons and they attend at least one summer advanced camp. Everything officers "needed to know was there to learn," Axe concludes: "land nav, weapons assembly, basic marksmanship, squad tactics, and the all-important operations order, the OPOD, the Army's template for briefing upcoming missions"—all this while the cadets were enrolled as full-time students. They had to develop the self-discipline needed to organize their time, stay in shape, and in many cases work a part-time job.

Yet the civilian campus environment that usually makes ROTC such a strong breeding ground of excellent officers is also the main reason why Ricks is wrong to think we can rely on ROTC instead of, rather than along with, the academies. Although ROTC might meet all the services' needs for officers in peacetime or during the popular phase of a war, one lesson of Vietnam is that campuses can quickly turn inhospitable when a war becomes unpopular with the academic Left. Not only was ROTC expelled from some universities in the late '60s and early '70s, but more recently, when post-9/11 student movements were launched at several Ivy League universities to bring ROTC back, they were thwarted by loud objections to the "don't ask, don't tell" policy toward gays and lesbians that Congress adopted in 1993. In a 2003 referendum at Columbia University, for example, students voted 973–550 to restore ROTC, but that didn't stop the University Senate from vot-

Two days after the 1970 Kent State University shootings, a poll showed that 75% of KSU students favored keeping ROTC on campus, barely below the national average of 80%.

ing 53–10 to keep it out. Columbia and other elite schools now say they may let ROTC back in if Congress accepts President Barack Obama's recommendation to abolish don't ask, don't tell, but even if they do there's no guarantee that ROTC won't be kicked out again the next time the professoriate gets cranky about the military.

ROTC's Southern shift raises an additional concern that even hostile academic liberals should share. More than 40% of the officer corps is now composed of Southerners, in large part because of where ROTC units are located. For example, even though Alabama has one-fourth the college population of New York City, it currently hosts Army ROTC units on ten campuses while New York has units on only two. Much has been written in recent years—some of it by Ricks—expressing alarm over a growing civilian-military divide that shows up most dramatically in surveys revealing that nearly two-thirds of officers are Republicans and less than a tenth are Democrats. (Thirty years ago the officer corps consisted mostly of self-described Independents.) But understand: it is ROTC

that is concentrated in the red states, not the academies. The source of Lipsky's title is revealing on this point. In 1902 President Theodore Roosevelt told a West Point audience that the institution is "absolutely American" because "you represent, with almost mathematical exactness, all the country geographically." West Point, Annapolis, and Colorado Springs famously draw the vast majority of their cadets and midshipmen from recommendations made by members of Congress, who by definition represent every region, party, and persuasion in rough proportion. And all three academies are located in states that in 2008 were solidly blue.

ROTC's strengths are gratifying, but its imperfections—especially its dependence on universities whose hospitality is erratic—render imprudent any suggestion to abolish service academies that, in addition to being geographically diverse, can be relied on in good times and bad to produce about 3,000 officers per year. ROTC sometimes falls short of its goal, as it did by more than 500 officers in 2006 and more than 700 in 2007—though, to be sure, the goal had been raised for these years from 3,900 to 4,500 recruits. In contrast, the academies nearly always have long lines of highly qualified and motivated high-school seniors doing everything they can to get in—longer lines than ever, judging by the surge of applicants for the three academies' Classes of 2013 and 2014.

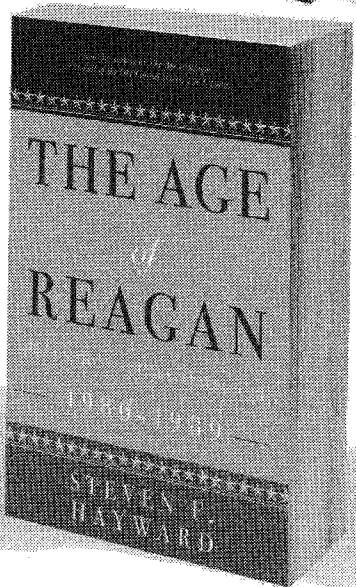
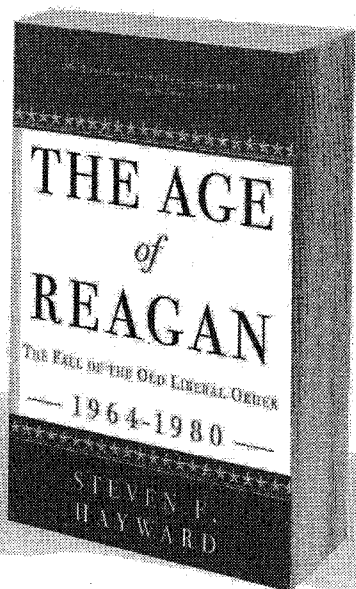
Sosh

MEETING OFFICER-PRODUCTION QUOTAS in a representative way is hardly the best thing that can be said about the academies. They also do other things extremely, even indispensably well. One of these already has been mentioned: they produce a large share of officers trained in science and engineering—no minor virtue in today's technologically sophisticated military. Even English and history majors have to take many more math and science courses than ROTC cadets do. Classes in all subjects are small, and the faculty's mission is to teach cadets and midshipmen, not to bring in research dollars or train graduate students. A day in the life of an Air Force Academy instructor, Schemo records, entails eight and one-half hours in the office tutoring students, with time out mostly to teach classes and eat lunch.

Samet admires the "courage" with which cadets in her required freshman English classes at West Point "challenge accepted truths; the nuanced way they read literature and culture; and the ingenious methods they have for resisting conformity in lives largely given over to rules and regulations." Fleming's purpose at the Naval Academy is "to create thinking officers," he explains, because "officers who only know the

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answers to questions they've already seen won't be good officers. Life is unpredictable; battle is very unpredictable." Forget the academies' top-20 rankings among national liberal arts colleges in the annual *U.S. News and World Report* surveys: West Point must be doing something right to be fourth among all institutions of higher education in Rhodes scholarships since 1923 and sixth in Marshalls since 1982.

What could Ricks have been thinking when he dismissed the academy experience as being equivalent to a community college education? Cadets and midshipmen are taught by a combination of civilian faculty, nearly all of them with doctorates, and military officers, mostly captains and majors with master's degrees, company command experience, and a full awareness of what Mullaney, a West Point grad who taught at the Naval Academy, describes as "the haunting imperative that what we fail to teach our students could kill them or those they lead." The mix is different depending on the academy: the Annapolis faculty is about 60% civilian, and the West Point and Air Force Academy faculties are about 75% military. That's advantage Annapolis in some ways—more Ph.D.s in the classroom and more experience for the brigade of midshipmen in dealing with civilians as authority figures—but advantage West Point and Colorado Springs in others: their teaching officers tend to go to much better schools and have much brighter futures in the Air Force and, especially, the Army than their Annapolis equivalents do in the Navy. Perhaps most important, the military faculty, most of whom return to regular service after two years of graduate work and three years of teaching, annually constitute a "second graduating class" of officers who have honed their expertise both as graduate students in civilian labs and libraries and as instructors in academy classrooms.

Nowhere are the benefits of this approach more evident than in Cloud and Jaffe's account of the social sciences department at West Point. For decades, "Sosh" (pronounced "Soash") has recruited "some of the best minds in the officer corps" to its faculty, a combination of "free-thinkers and ambitious young officers" who together have been "a wellspring of unconventional thinking." After Vietnam, Sosh was one of the few places in the Army that kept studying the challenges of counterinsurgency when the rest of the military "didn't want to learn to fight guerrilla wars." Fighting in massed formation with overwhelming power was what the post-Vietnam Army trained for, and that approach was enough to drive Saddam Hussein from Kuwait in 1991 and topple him from power in 2003. But when postwar Iraq came apart at the seams, it was the "unorthodox ideas that Petraeus had championed years ago in Sosh [that]

now dominated high-level Pentagon strategy papers," leading not just to the 2007 surge but also to the troops' new mission: going into violent neighborhoods to protect people from roving death squads and suicide bombers.

An additional advantage that the academies have over ROTC is their ability to respond swiftly to changing military challenges. Soon after 9/11, Sosh created the Combating Terrorism Center and the academy increased every cadet's mandatory foreign language training from three days per week to five. Annapolis recently initiated cyber warfare studies and ramped up its own foreign language requirement. These are changes that civilian universities with ROTC units either could not make or have made much more slowly. Samet and other English department faculty teach their classes knowing that "poetry is more important to the cultures with which U.S. troops will come in contact...than it is to our own." She wants her students to be able to both "handle a grenade launcher and share an appreciation of Rumi with an Afghan colonel."

The line between military and civilian challenges blurred when Congress forced the academies to incorporate racial minorities in a more than token way in the mid-'60s and, a decade later, to admit women. Absent such pressure, the academies had long dragged their feet when it came to African-Americans and actually dug in their heels against women. But when the orders came down from the civilian authorities, the chain of command moved to execute the mission. Gelfand quotes Ellen Seashore, the Naval Academy's advisor on women's integration: "Some male officers were not for the change. But their jobs depended on it, so any disagreement was kept to themselves." Midshipmen were slower to adjust than their officers, and Gelfand reports that as recently as 1990 only 59% of the women at Annapolis believed that male midshipmen accepted their presence. By 1996, after a concerted effort by the academy's leadership, that number had risen to 95%. Janda, in his supremely well-written and deeply researched book about West Point, concludes that the Military Academy's "unofficial 'seven-year rule'" accounts for its gradual but successful integration of women during the late '70s and early '80s because after seven years every cadet who had either been there when women first were admitted or had talked to a cadet who'd been there when women were first admitted was gone. Schemo worries, however, that women cadets will be stigmatized by at least some of their peers for as long as they are a minority (about 20%), are held to lower training standards, and are barred from some combat specialties.

As for race, Lipsky observes that of the 35 college campuses he visited as a reporter, "West Point strikes me as the most successfully inte-



grated, the least afflicted by racial tension." A Naval Academy alumnus, John Bodnar, notes the irony: "the most progressive social values are implemented in an organization led by some of its most conservative individuals." But how ironic is it? After all, the American military's sworn duty, hammered home constantly at the academies, is to execute civilian orders in defense of our Constitution and laws.

The Harder Right

THE HONOR CODE—MOST FAMOUS IN ITS pithy West Point formulation: "A cadet will not lie, cheat, steal, or tolerate those who do"—is yet another distinctive attribute of the academies. Other colleges and universities have honor codes, but few would say of themselves what Sorley says in *Honor Bright*: "The honor code is West Point's defining feature." One reason, as Fleming points out in *Bridging the Military-Civilian Divide*, is honor's direct application to military service:

In tight quarters with a mission that takes precedence over all else, each sailor (or soldier, or Marine) has to know where his gear is; stealing is close to the top of the list of military sins. Lying is probably at the very top: for mission effectiveness the Commanding Officer has to be dealing with correct information.

Another reason is the great tension cadets and midshipmen must learn to navigate between the code's insistence that they enforce honorable behavior on each other and the equally powerful norm—variously expressed as "cooperate and graduate" at West Point and Colorado Springs and "don't bilge your classmates" at Annapolis—that they must support each other in all things. Scarcely anywhere else in America are 20-year-olds forced to make such difficult judgments on ethical matters. Not surprisingly, perhaps, the only line from West Point's Cadet Prayer that cadets actually quote is: "Make us choose the harder right instead of the easier wrong." Samet even hears it in a classroom discussion of *Macbeth*: "Well, ma'am, Banquo chose the harder right."

Finally, on few other campuses are reminders of the military ethos omnipresent, as they

are at the academies. Upperclassmen hector plebes and doolies (an Air Force Academy nickname for freshman, derived from the ancient Greek *doulos*, or slave), an experience that is notorious but far from pointless. Ruggero quotes a 1983 West Point grad saying that it took the Gulf War to make him realize that the purpose of plebe year "was not harassment, ridicule, or punishment. Its goal was to train the neural network to deal with an overwhelming amount of disjointed information, quickly process that information, categorize it, and make rapid, sound judgments." Mullaney says that as frustrating as plebes' limited menu of acceptable answers (yes, sir; no, sir; no excuse, sir; sir, I do not understand) often was, the experience was "hammering into my head an acknowledgment of personal responsibility that eventually became second nature." Gelfand observes that the monuments of naval and Marine Corps history that pervade the yard at Annapolis "serve as what anthropologist Pierre Nora has called a 'Lieu de Memoire,' a physical manifestation of intended remembrance of the past." Obedience and conformity are not all that the academies commemorate—Patton and MacArthur rank higher in the cadets pantheon than Washington and Eisenhower. Nor is the academy experience all about idealizing glory. Fleming describes "the thud, thud, thud of the drum" outside his classroom "as mourners follow the coffin down the road" to yet another Annapolis graduate's funeral, a reminder that "death is never very far away."

To say the academies are good and worth preserving is not to say they are perfect. Because the combination of academic, military, and physical demands on cadets is so massive and unrelenting, Mullaney writes, they all too often "spec and dump"—that is, learn what they need to know for the test, then forget it immediately. Because they live in an environment peopled primarily by officers and officers-to-be, cadets and midshipmen have little experience dealing with the privates, seamen, and airmen they will be called on to lead when they are commissioned. In contrast, Ruggero writes, ROTC cadets "often spend summers and time out of class working at jobs—like flipping burgers—that put them right next to the kind of young man or young woman who

comes into the army as a private." And the enthusiasm with which the academies execute their missions can get out of hand. Fleming's relationship with leaders of the Naval Academy has been especially stormy because he frequently calls them to account for the excess zeal with which they pursue affirmative action-based admissions (some of them Division I athletics-related) at the expense of excellence. Too often, Fleming writes, the military "overcompensates for past problems and is as absolutist in the new direction as it used to be in the old." So disgusted did Fleming become with some of the Naval Academy's misplaced enthusiasms that on May 20 he published an op-ed in the *New York Times* urging that the academies be "fixed or abolished."

Are ROTC-trained officers, as Ricks argues, the equal of academy-trained officers? Yes, by most accounts; but the world of civilian universities that ROTC inhabits is a much less reliable source of officers than the academies, and ROTC's increasing reliance on Southern campuses skews the military politically in ways that the academies' broad geographical base does not. Is Ricks right to say that the extra money it costs to train an officer at an academy is wasted? Not if you appreciate the added value the academies bring to officer development: the combination of well-educated junior officers who, whatever their academic majors, are schooled in science and engineering; the "second graduating class" of graduate school-trained, rising senior officers with teaching and research experience; the ability to adjust quickly and appropriately to new military challenges imposed by civilian authorities; honor codes that force cadets and midshipmen to struggle with difficult but militarily essential questions of right conduct; and a concentrated martial ethos well-designed to remind officers of the best traditions, as well as the great burdens, of military service.

Michael Nelson, a former editor of the *Washington Monthly*, is the Fulmer Professor of Political Science at Rhodes College and a senior fellow at the University of Virginia's Miller Center of Public Affairs. Among his recent books is *The American Presidency: Origins and Development, 1776–2007*, with Sidney M. Milkis (*Congressional Quarterly*).

MONOPOLY OF VIOLENCE

To Shake Their Guns in the Tyrant's Face: Libertarian Political Violence and the Origins of the Militia Movement,
by Robert H. Churchill. University of Michigan Press, 384 pages, \$35

ROBERT CHURCHILL'S *TO SHAKE THEIR GUNS in the Tyrant's Face* comes at the perfect time. Two years after declaring (at long last) that the Second Amendment secured an individual's right to keep a gun, this summer the Supreme Court in *McDonald v. City of Chicago* applied this principle to the states: they may regulate guns, but not ban them.

To date, the best research on the Second Amendment has been done by legal scholars. Historians have largely been funded by organizations that favor gun control, with predictable results. It is to his credit, then, that Churchill, a professor of history at the University of Hartford, has written this unusual, thoughtful study of the role of militias and their relation to the Second Amendment.

He argues that, in protecting individual gun possession, resistance to political tyranny was just as important to the framers as self-defense. "Though the debates of 1787–92 do include language evocative of an individual right," Churchill writes, "the overall discussion revolved around the institutional organization of political violence," i.e., militias. Whether the right was individual or collective in emphasis, however, "the purpose behind the amendment was the same: to vest in the Constitution the right of the people to retain the capacity to wage the natural right of resistance to tyranny." In other words, violent resistance can itself be a constitutional safeguard, a means to *check* government, not merely overthrow it.

Churchill's position will not satisfy either side of the gun debate. Conservatives who view gun possession as an individual right, unconnected to militia service, will bridle at his emphasis on institutional resistance. Most liberals will be appalled, in turn, because they insist on tying gun rights to service in official, state-run militias, and because these have fallen in desuetude, so must the right that militias served to justify. In Churchill's view, this argument misses the mark, and he does much to counter it.

To Shake Their Guns in the Tyrant's Face is a work in three acts, each a snapshot of a period in our "collective memory" of the American Revolution. First, there is the "precedent of 1774," Churchill's term for the founders' belief in private arms as an "insurrectionary check on government." He uses Fries's Rebellion of 1799 as a case study to explore early views on the bound-

aries of legitimate resistance, and the militia as a "bulwark against despotism." That uprising, led by Pennsylvania Dutch farmers, sought to resist a tax levied to fund the French-American Quasi-War. Angered by assessors strolling through their towns and counting heads, the rebels chased them out; the uprising's leaders were arrested eventually (and pardoned, by President John Adams). As the revolutionary era drew to a close, Thomas Jefferson, taking office in 1801, repudiated the use of force as a check on government—even though his own selection as president by the House of Representatives, following the electoral college deadlock in 1800, had been preceded by assurances from the governors of

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Pennsylvania (Thomas McKean) and Virginia (James Monroe) that their state militias stood ready to resist any attempt by the House to impose a Federalist president upon the country.

The Civil War inaugurated the "era of American countersubversion," during which the taking up of private arms, in the Northern mind at least, became the essence of illegitimacy. In 1863–64, what some perceived as Lincoln's heavy-handedness led to calls for resistance that coalesced into the Order of the Sons of Liberty, named after the original Sons of Liberty that claimed Samuel Adams, Paul Revere, and Patrick Henry as members. The new Sons were, in fact, a band of Copperheads who organized an armed anti-Union conspiracy. The conspirators were tried in military tribunals, but rebel leaders again found reprieve—this time in the Supreme Court, which, in *Ex parte Milligan* (1866), held that citizens must be tried in civilian courts, so long as the latter continued to function (as they had). The conspirators claimed that the verdict validated their resistance to Lincoln's government. Nevertheless, observes Churchill, after

the war, not only would most citizens accept the state's monopoly on violence, they saw it as their patriotic duty to do so.

The fascinating, unpredictable rise in the mid-1990s of a vociferous militia movement broke with this 150-year-old consensus. What Churchill calls federal "paramilitary policing" (mainly by the FBI and ATF), coupled with an "emerging war on guns," once again revived the "precedent of 1774." Militias sprang up in a number of states after fearsome clashes at Ruby Ridge, Idaho, and Waco, Texas, which the militiamen saw as instances of government overreach met by constitutional civilian force.

NO OTHER BOOK PARSES THE CONTEMPORARY militia movement so carefully. Churchill describes the movement's evolution into competing "constitutionalist" and "millenarian" wings—the former emphasizing civic duty and open membership, the latter simmering with bigotry and apocalyptic paranoia. (He describes, too, how critics of the movement deliberately try to conflate the two.) Yet what the two seem to share, in varying degrees, is an unshakable distrust of government and a reading of history in which many within the governing classes have been willing routinely, since the Civil War, to suppress their political opponents. The book cites Franklin D. Roosevelt, for example, who unleashed the FBI against his domestic opponents. Churchill draws persuasive parallels between the brown scare of World War II (when German-American loyalties were questioned), the McCarthyist red scare that followed (its leaders drew lessons from the brown scare), and the second brown scare of the 1990s, directed at private militias. He notes, too, the questions raised concerning President George W. Bush's assertions of power after 9/11 to conduct warrantless surveillance and to detain American citizens as "enemy combatants." Above all, the author shows that the instinct to meet government force with arms is—whatever else it may be—a recurrent part of our history.

George A. Mocsary is co-author (with Nicholas J. Johnson, David B. Kopel, and Michael P. O'Shea) of the first legal textbook on the Second Amendment and firearms policy, forthcoming from Aspen Publishers in 2011.

Book Review by Alonzo L. Hamby

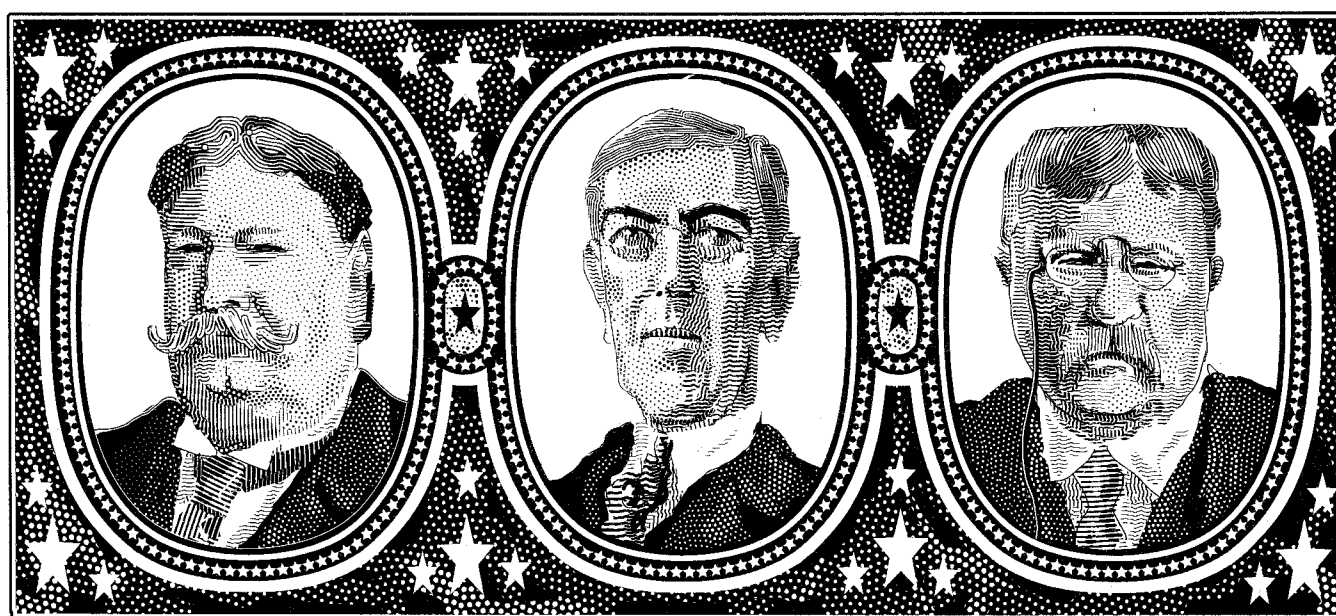
PRESENT AT THE CREATION

Four Hats in the Ring: The 1912 Election and the Birth of Modern American Politics,
by Lewis L. Gould. University Press of Kansas, 235 pages, \$29.95

Remaking the Presidency: Roosevelt, Taft, and Wilson, 1901–1916,
by Peri E. Arnold. University Press of Kansas, 277 pages, \$34.95

The Dilemma of Progressivism: How Roosevelt, Taft, and Wilson Reshaped the American Regime of Self-Government,
by Will Morrissey. Rowman & Littlefield, 268 pages, \$70

Theodore Roosevelt, the Progressive Party, and the Transformation of American Democracy,
by Sidney M. Milkis. University Press of Kansas, 361 pages, \$34.95



THE 20TH CENTURY MARKED THE RISE and consolidation of a new style of “progressive” politics. It featured drives for greater equality of rights and condition, accompanied by the rapid growth of an activist state with an extensive bureaucratic and regulatory apparatus. Many social, cultural, and institutional currents assisted this movement, which was spearheaded by dynamic political leaders who mobilized mass followings, employed electoral politics to achieve major changes, and seemed altogether essential agents of history. Four new books seek to explain the emergence of Progressivism by focusing on the presidents and presidential aspirants who either drove it or were overwhelmed by it.

Some scholars might still place the beginnings of 20th-century Progressivism in the election of 1896 and William Jennings Bryan’s Populist-Democratic insurgency. But notwithstanding his charisma and devoted mass following, Bryan was both a three-time loser in his pursuit of the presidency and a retrograde figure

who never identified himself with the forces of modernity that were transforming America. It was Theodore Roosevelt who ushered the United States into the new political era. And after four years of the inept William Howard Taft, Woodrow Wilson emerged as the confirming force who made Progressivism bipartisan.

The four-cornered election of 1912 signaled the movement’s high tide, presenting voters a choice among Taft’s tepid “standpatism,” Wilson’s Jeffersonian-tinged reformism, Roosevelt’s New Nationalism, and Eugene V. Debs’s socialism. It has become conventional—and basically correct—to portray the second-place finisher T.R. as the ideological winner; Wilson largely appropriated his New Nationalism over the next eight years.

Ever since, progressivism (frequently called “liberalism”) has been a nearly unstoppable force in American politics, advanced in one form or another by presidents as diverse as Herbert Hoover, Franklin Roosevelt, Lyndon Johnson, Richard Nixon, Bill Clinton, and George W.

Bush, scarcely slowed by the rearguard actions of Calvin Coolidge, Dwight D. Eisenhower, and Ronald Reagan.

AS A GROUP, THESE FOUR BOOKS ATTEMPT to account for the origins of a “Progressive Era” that has endured with peaks and valleys for more than a century—beginning in a “trust-busting” fight against large-scale corporate capitalism; promoting the establishment of an ever-growing regulatory, or administrative, state; and increasingly advocating a social-democratic welfare regime that strives for equality of results rather than equality of opportunity. Louis Gould’s *Four Hats in the Ring*, a volume in the “American Presidential Elections” series published by the University Press of Kansas, provides a brief, authoritative survey of the 1912 contest and its four extraordinary protagonists. “For a moment,” he tells us, “political philosophy and principles really did matter.” The other books under review generally confirm that assessment. Professor of history at the University

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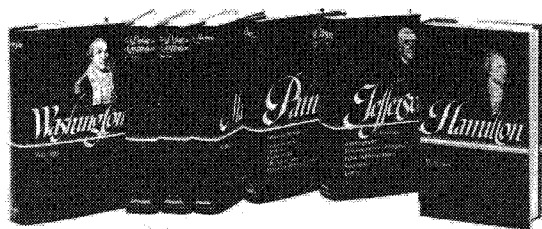
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of Texas and a leading historian of both the Progressive Era and the presidency, Gould depicts an election campaign that demonstrated the triumph of modern Progressivism.

The results displayed the exceptional character of American politics. Debs, a charismatic personality running at a time when mass socialist parties were at the threshold of power in major European democracies, could muster only 6% of the popular vote. Taft, the muddled conservative (or perhaps 19th-century liberal with a realistic view of human nature), possessing the endorsement of the nation's majority political party, got less than a quarter of the electorate. The two Progressives, each promising a reformist path that avoided both radical socialism and stand-pat conservatism, got a combined 70%.

But just what was Progressivism? And why was charismatic leadership, primarily imbedded in the presidency, so crucial to it? The Progressive Era followed a third of a century in which principled parties, not personalities, were the primary force in American political life. Presidents, to be sure, were men of character and conviction, but few voters marked their ballots for, say, Rutherford B. Hayes or Grover Cleveland out of personal attraction. The men at the top of the ticket were representative types who happened to come from populous swing states. The party system mobilized its rank and file as loyal Democrats or Republicans, while ridiculing bolters as "mugwumps" or some other variety of deviant.

AFTER 1900, ALL THIS BEGAN TO CHANGE. Notre Dame political scientist Peri Arnold, a notable scholar of both the presidency and the American administrative state, examines the transformation most fully in his penetrating *Remaking the Presidency*. Changes in mass communications—the emergence of a popular newspaper and magazine press, voice recordings, moving pictures—led to a focus on personalities and made celebrities of political leaders. The rise of giant corporations created a truly national economy and with it a new system of interest-group politics. An emerging well-educated urban middle class became an increasingly large proportion of the electorate, and pursued its objectives in the guise of reform politics. This new middle class, as historians Richard Hofstadter and Robert Wiebe demonstrated nearly two generations ago, envisioned politics in terms of disinterested managerial expertise rather than as a vote-for-favors exchange. Its members tended to see themselves as advocates of "democracy," which they defined as government by "the people" rather than "the interests."

As the new politics rose in importance, political participation by low-income groups

dwindled. (The reasons for this development are not fully understood. It may have been in part the result of progressive reforms designed to make elections more honest. The decline of parties and rise of political personalities with primarily middle-class appeal surely also had much to do with it.) At the same time, farm and labor movements shed ideological radicalism and adopted the interest-group model of politics, seeking pragmatic benefits rather than broad social transformation. All these forces generated a steadily growing administrative state that acted as regulator, dispenser of federal largesse, and conservator of resources. "Middle-class Americans saw government as necessary for solving social and economic problems," Arnold tells us. "In contrast to the parochial Congress, it was the presidency that presented a possibility for leadership to address what middle-class Americans identified as the public interest." The growing importance of the presidency was thus linked to the growth of the administrative state, and the two fed off each other.

T.R., Taft, and Wilson, Arnold explains, differed from such predecessors as Benjamin Harrison, Grover Cleveland, and William McKinley. The late 19th-century presidents had made their way up the ladder as party regulars and political candidates. Having absorbed these norms, they tended to defer to an entrenched party leadership in Congress. The three early 20th-century presidents had quite different backgrounds—Roosevelt a gadfly reformer, second-level administrator, author, and military hero; Taft a jurist and administrator; Wilson an eminent academic student of government and leadership. None would have been able to make his way to the presidency before 1900.

Each came to the office with an activist agenda that did not mesh with the goals of the congressional leadership. T.R., the great innovator, paid little attention to established lines of responsibility, shrewdly publicized his appealing personality, and established an "example that most resembles modern presidents' plebiscitary performance and ambivalent relationships with their parties." Taft embraced the unfinished aspects of the Rooseveltian agenda, but lacked both the charisma and the resolve to emulate his predecessor's achievement. He was, Roosevelt privately remarked, "a far abler man than I but he don't know how to play the popular hero and shoot a bear." Wilson, adopting the model of an English prime minister, established an impressive public persona, dominated his party in Congress, and secured a remarkable body of legislation. None established "the modern presidency," the present-day behemoth that students of the office stalk with Ahab-like intensity; but they foreshadowed it.

IN THE DILEMMA OF PROGRESSIVISM, WILL Morrisey, a Hillsdale College political scientist who employs classical political thought as a mode of explanation, displays scant sympathy for the Progressive project while mustering what regard he can for the presidents who confronted it. He reminds us that Machiavelli justified both the power of the prince (the Progressive presidency) and the building of a consolidated state as the necessary means of suppressing a greedy aristocracy (trusts and robber barons). Even granting the nobility of the purpose, however, the statist outcome was seldom satisfactory, even to the prince. As his power and territory grew, the agents (bureaucrats) he deployed to manage it became less controllable and unresponsive.

Morrisey also rehearses Alexis de Tocqueville's meditations, fueled by the French Revolution, on the alienating effects of a statism that promotes the love of equality over the love of liberty. Employing the ancient Greek philosophers, Morrisey criticizes Progressive thinkers for abandoning the idea of natural rights in favor of a historicist approach to politics and law. The result, an interpretation of fundamental law as constantly evolving, enables jurists (agents of aristocracy in the Tocquevillian perspective) to change the Constitution at their whim. Self-government is thus undermined. "The Constitution as a contract makes consent possible; the 'living Constitution' makes consent weak. A reasoning, deliberating people gives way to reasoning, deliberating judges."

Morrisey finds the modern state to be primarily a Progressive project and more a hindrance to self-government than a facilitator of it. He characterizes the Progressive presidents as well-intentioned men who, in the name of democracy and justice, unleashed anti-democratic forces like bureaucracy and the "Living Constitution." T.R. hoped to deal with this Progressive dilemma by promoting a heroic citizenship rooted in Christian values. Taft wanted "the guidance of a republic-friendly aristocracy of lawyers." Wilson, rejecting natural right altogether, placed his faith in Christian providence. He believed that a divine immanence suffused the United States and informed his leadership. All, however great their personal qualities, deluded themselves. They failed to stop the march of statism and restore the promise of self-government.

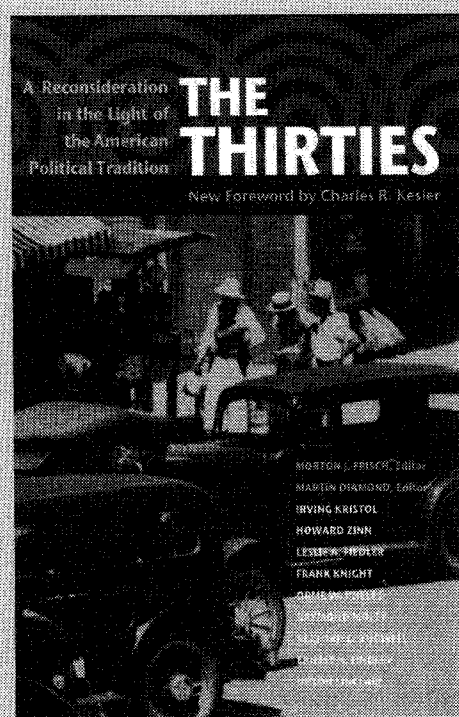
Biographers of Roosevelt, Taft, and Wilson will hotly dispute the author's conclusions. Most historians—"historicist" by profession—will call for more attention to the concrete alternatives and situational realities of the early 20th century. Consumers of high political philosophy will find this book stimulating. Less prepared readers will dismiss it as abstruse and difficult.

ONCE UPON A TIME, NO POLITICAL SCIENTIST spoke to historians about the march of liberalism and presidential leadership more persuasively than James MacGregor Burns. University of Virginia professor Sidney Milkis has become a lineal successor of sorts, lacking Burns's narrative gifts but providing a conceptual depth that more than compensates. His *Theodore Roosevelt, the Progressive Party, and the Transformation of American Democracy* is much more than an account of the 1912 imbroglio. He depicts T.R. as the foremost apostle of a "progressive democracy" that would serve as the basis of 20th-century American liberalism. Taking Roosevelt seriously as a thinker, he covers his protagonist's post-presidential career with a thoroughness unmatched by previous biographers.

Setting T.R. against the emergence of nascent welfare states in turn-of-the-century

Europe, the author depicts a statesman who sought to reconcile a progressive administrative state with the legitimacy of popular mandates. Wrapping his appeal in the rhetoric of both Christian and patriotic duty, Roosevelt fused together a visceral nationalism and a softer humanitarian impulse. Thus, Milkis argues, the former president trumped a Taft who distrusted the masses, a Wilson who found it expedient to espouse traditional Democratic decentralization, and a Debs who scorned popular democracy as irrelevant to the higher justice of a workers' state.

The contradictions and sheer inadequacies of Roosevelt's ideology, Milkis admits, were substantial. He talked glibly and impractically about the power of democratic majorities to recall judicial decisions, administrative edicts, legislators, judges, even the president himself. Critics who have keyed in on T.R.'s neo-Dar-



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winian rhetoric about nationalism, race, and heroic combat have sensed incipient fascism. Political analysts today are far more likely to see the administrative state as a playground for interest-group politics than as an instrument of enlightened and democratic governance. Milkis himself calls the emerging modern presidency "a Progressive innovation that has embodied the promise and disappointment of American democracy for the better part of a century." Still, he believes that Roosevelt's progressive democracy was a necessary challenge to an outdated American constitution—a term he uses in the English sense of a web of unwritten assumptions and political practices. If the promise of progressive democracy was never entirely fulfilled, its reshaping of the state and empowerment of the presidency did much to equip the United States for the challenges of the 20th century.

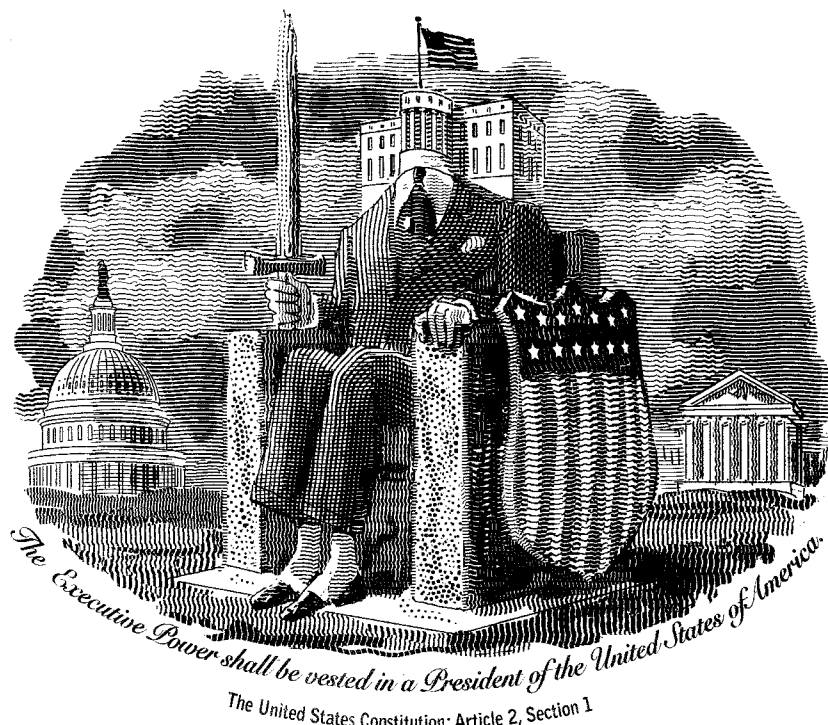
Contemporary conservatives instinctively reject that last conclusion. Milkis responds by reminding us of the way in which the conservative movement over the past generation has employed ballot initiatives, referenda, and recall elections. Moreover, he cites Ronald Reagan's deployment of the modern presidency in opposition to the liberal state. Contemporary conservatism, he concludes, owes much to the platform of the Progressive Party. He might indeed have gone further and discussed in some detail the conviction of so many present-day activists on the Right that they are fighting for rule by the people and against liberal elites that scorn ordinary folk. In fact, the conservatism of William Howard Taft is largely dead and forgotten, supplanted by right-wing populism.

In the end, Milkis believes, the legacy of progressive democracy transcends the ideological battles of the moment. As he admits, however, his judgment raises profound questions. Is a strong administrative state compatible with an active and competent citizenry? Can the modern presidency, even with the tools of instant mass communications, function as a truly democratic institution with meaningful links to the public?

Barack Obama's 2008 presidential campaign, Milkis believes, drew heavily on the legacies of T.R.'s progressive democracy. Whether the Obama presidency will produce a constructive sense of "civil religion" or an empty "cult of personality" remains an open question. Theodore Roosevelt's effort of 1912 contained the seeds of both possibilities.

Alonzo L. Hamby is Distinguished Professor of History at Ohio University and the author of For the Survival of Democracy: Franklin Roosevelt and the World Crisis of the 1930s (Free Press).

DON'T FENCE ME IN



IN 1915, HERBERT CROLY PITHILY CAPTURED the sentiment of Progressive intellectuals by declaring that their mission was to “liberate democracy from the bondage of law.” Croly wasn’t advocating general anarchy. He had in mind the Constitution’s ethos of individual rights and limited government, which, he argued, prevented Americans from appreciating the virtues of a collectivist democratic state. Progressives differed widely on political strategy and tactics, but they were as one in believing that the Constitution was imprisoned in an 18th-century mindset that crippled the government’s ability to address current social and economic needs. This conviction, whether explicitly stated or merely assumed, has dominated most academic studies of government ever since.

Despite the Hundred-Years War against the old Constitution, however, the framers’ ideas have refused to go gently into their good night. As political scientist Jeffrey Tulis has noted, we are today governed by two warring constitutional cultures—an old order, still resonant of the framers’ understanding, which has been undermined but not defeated; and a new order, reflecting Progressive assumptions, which has been successful but not triumphant. An analogous tension may be observed in debate concerning the nature and scope of executive authority, though here the tension exists as much among liberals and conservatives as between them. Members of both camps fret about executive excess (for liberals, mainly in foreign policy; for conservatives, mainly in domestic

policy), to which the preferred cure in each case seems to be enactment of statutory controls. Others worry that the recommended cure may be worse than the disease. The dilemma is particularly acute for liberals, who fear that taming presidential discretion in foreign affairs (at least of the sort they dislike) may undermine the case for presidential discretion aimed at regulating economic and social behavior (which they very much support).

Power to Persuade

FOR MUCH OF THE PAST HALF-CENTURY, liberalism’s approach to the presidency has been massively influenced by Richard E. Neustadt’s *Presidential Power* (1960). Published when liberals’ faith in the presidency was approaching its romantic zenith, the book survived Camelot and became a staple of political science courses for the next 30 years. Like most heirs of Progressive thought, Neustadt saw the constitutional separation of powers as something to be suffered; he understood its checking function, but not its empowerment of executive independence. Presidents would remain weak if they took their cues from what Neustadt (following Woodrow Wilson) derided as “the literary theory of the Constitution.”

But he also worried that presidential initiative had been sapped by the manifold, conflicting governmental demands that Progressivism itself had created. He called therefore for a pragmatic reassessment of the modern presidency, resting

on the assumption that the Constitution created not separation of powers but only “separated institutions sharing powers.” What matters in the end are not fine constitutional distinctions about types of power, but who possesses it and how it is used. Although the Constitution had stacked the political deck in Congress’s favor, presidents held a playable hand. Presidential success, however, would depend more on the personality and retail political skills of the man in the White House than on the parchment powers conveyed by Article II. A president should therefore pay less mind to the formal authorities of his office, and relatively more to the mundane tasks of convincing others that his lead should be followed. Hence Neustadt’s much-quoted conclusion that the power of the president was “the power to persuade.” Again echoing Wilson, Neustadt believed that a president could succeed only by learning to bypass what he thought of as constitutional rigidities. *Presidential Power* was his Machiavellian instruction manual teaching presidents how to do just that.

Neustadt proffered many shrewd observations about the operational and political imperatives of the modern bureaucratic presidency. But he radically underestimated how much of a president’s actual influence derives from his constitutional authority. He also failed to see how our most notable presidents had relied on that authority and used it to great effect. Considered in this light, “the power to persuade” ends up being neither a novel nor even a necessarily energizing concept. Perhaps the most remarkable

feature of Neustadt's pithy rule is not its substance, but that it was greeted as a dazzling insight that had hitherto escaped notice. As many presidents might have suggested, the really interesting question is what happens when the power to persuade, as Neustadt defined it, fails to produce results a president considers essential to the national interest. For all of Neustadt's sophistication, Jimmy Carter came closer to grasping the essence of the presidency when he remarked in his debate with Ronald Reagan that on important questions, presidential advisors are almost always equally divided. He might have said the same of Congress, interest groups, and public opinion. With due respect to Neustadt, any president who confined his learning to *Presidential Power*, without inquiring more deeply into the meaning and matter of Article II, would weaken himself by engaging in unilateral constitutional disarmament.

By misunderstanding the separation of powers and the extraordinary breadth of constitutional executive authority, Neustadt's argument was bound to encounter difficulties. These became apparent soon enough, when the Vietnam War and the Watergate scandals raised long-forgotten questions about the constitutional consequences of presidential government. Scholarly commentators who had for years praised the development and benefits of modern presidential prerogative, particularly as exemplified by Franklin Roosevelt, now warned about the dangers of an "Imperial Presidency." This led them, willy-nilly, to revisit the debates surrounding the creation of the office, if only to acquire rhetorical ammunition. Whether the right lessons emerged from this encounter was less significant than that the framers' deliberations, so cavalierly dismissed by generations of Progressive scholars, were now looked to at all.

Return to the Founding

IN WHAT MIGHT BE CALLED THE FIRST WAVE of revisionism, during the late 1960s and '70s, scholarly inquiry exhibited a certain partisan tendentiousness. Even while railing against real and imagined excesses of Presidents Johnson and Nixon, most liberals continued to embrace the theory of the presidency inherited from Wilson and the two Roosevelts. Nevertheless, a door had been opened upon the past, and through it stepped scholars who inquired into the background and substance of the framers' opinions, this time no longer as mere artifact but as a source of permanently important wisdom on the question of executive power. Particularly noteworthy in this regard was the appearance in 1981 of *The Presidency in the Constitutional Order*, a collection of essays edited by Joseph Bessette and Jeffrey Tulis. The title tells

all. Written in the wake of the failed presidencies of Johnson, Nixon, and Carter, the volume's diverse contributors restated the case for executive energy based on the Constitution's original understanding, and in so doing challenged many of the Progressives' theoretical and historical claims.

Books mentioned in this essay:

Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan (Revised Edition), by Richard E. Neustadt. Free Press, 384 pages, \$19.95

The Presidency in the Constitutional Order: An Historical Examination (Revised Edition), edited by Joseph M. Bessette and Jeffrey Tulis. Transaction Publishers, 371 pages, \$39.95

The Constitutional Presidency, edited by Joseph M. Bessette and Jeffrey Tulis. The Johns Hopkins University Press, 384 pages, \$60 (cloth), \$30 (paper)

Taming the Prince: The Ambivalence of Modern Executive Power, by Harvey C. Mansfield, Jr. The Johns Hopkins University Press, 392 pages, \$22.95 (paper)

The Unitary Executive: Presidential Power from Washington to Bush, by Steven G. Calabresi and Christopher S. Yoo. Yale University Press, 558 pages, \$60

Crisis and Command: A History of Executive Power from George Washington to George W. Bush, by John Yoo. Kaplan Publishing, 544 pages, \$29.95

The Discretionary President: The Promise and Peril of Executive Power, by Benjamin A. Kleinerman. University Press of Kansas, 322 pages, \$34.95

Outside the Law: Emergency and Executive Power, by Clement Fatovic. The Johns Hopkins University Press, 368 pages, \$55

Bessette, professor of government at Claremont McKenna College, and Tulis, associate professor of government at the University of Texas at Austin, have now produced a second collection entitled *The Constitutional Presidency*. The general theme is similar to that of the first

volume, but the focus is somewhat narrower. The editors' revised introduction presents a succinct summary of the major literature on the presidency. Bessette and Gary Schmitt follow with a highly original analysis of Article II's design, focusing on the distinction between powers and duties.

In a separate offering, Schmitt reexamines the controversy surrounding George Washington's Neutrality Proclamation, shedding new light on that much-studied episode. Tulis does much the same in a fine chapter on the impeachment power, while Lance Robinson shows how Theodore Roosevelt and William Howard Taft, in quite different ways, altered subsequent presidential practice.

David Nichols thoughtfully addresses deeper constitutional implications of *Bush v. Gore* (2000) that for the most part went unnoticed by the legal professoriate. Other penetrating essays examine the recent controversy concerning military tribunals; the modern history of executive orders and their relation to implied executive power; the constitutional incoherence of the modern budget process; and the constitutional impasse that occurs when Congress requests information that presidents refuse to provide—a problem for which a political rather than a judicial resolution is typically preferable. Finally, in a characteristically thoughtful and wide-ranging essay, James Ceaser offers his reflections on the ever-present danger of demagoguery and how the Constitution, along with the customs and institutions that have developed under its influence, tries to diminish the threat.

The collection confirms that presidential behavior has always been, and continues to be, decisively shaped by the nation's constitutional structure and that, for all the political and social changes since 1787, the framers still have much to teach us. As with the predecessor volume, this new collection will repay close reading.

Unilateral Control

THE UNITARY EXECUTIVE: *Presidential Power from Washington to Bush*, by Steven Calabresi and Christopher Yoo, is also a praiseworthy exercise. The authors are principally concerned with presidential efforts to direct the administration of government. Studies abound on the subject, but in their engagingly written volume Calabresi, a professor at Northwestern Law School, and Yoo, a professor at the University of Pennsylvania Law School, focus on constitutional dimensions that tend to get lost in the literature. By choosing to treat the subject chronologically, they reveal a remarkably consistent pattern of constitutional interpretation and behavior that is often obscured. Their argument, in a nutshell, is that the Constitution

gives the president unilateral control over the execution of law, and that he may consequently direct the actions of executive subordinates and, if need be, remove them.

Their proposition may be arguable, or perhaps undesirable on policy grounds, but it is hardly revolutionary. Nevertheless, the idea of "the unitary executive" in these days has become heavily freighted with ideological baggage. Leftist critics of the concept see it as a fiendish cover for the expansion of unrestrained executive power at the expense of Congress and the people's liberties, imagining an endless line of presidents in thrall to Dick Cheney's understanding of presidential prerogative. Liberal hysteria notwithstanding, Calabresi and Yoo are in fact quite modest in their claims: to them, the idea of the unitary executive means simply that if a function is executive in nature, Article II's Vesting Clause meant to convey control of that function to the president. Or, as Justice Antonin Scalia put it in his dissent in *Morrison v. Olson* (1988), when the Constitution refers to "[t]he executive Power...this does not mean some of the executive power, but *all* of the executive power...." (Emphasis added.)

Calabresi and Yoo's originalist interpretation begins with the Constitutional Convention's decision to vest executive authority in a single person. They note early legislative debates, judicial decisions, and commentaries that drew upon the logic of that decision to resolve constitutional silence on the removal power (the Constitution says that the president shall nominate and the Senate approve high executive officials, but it does not specify who has the power to remove them) in favor of the president. The authors recount this part of the story accurately enough, but one wishes they had paused to reflect on early arguments concerning the need for broad discretionary authority in the executive. For how one weighs the historical evidence may depend less on close textual analysis than on one's theoretical understanding of the case for executive energy as a necessary ingredient of republican government.

Calabresi and Yoo's most convincing evidence lies in their historical examination of presidential opinions and actions from George Washington's day to our own. Along the way, they present four case studies that neatly encapsulate their thesis. These deal with, respectively, Andrew Jackson's war with Congress over the national bank and his removal of Treasury Secretary William Duane; Andrew Johnson's defiance of the Tenure of Office Act and his subsequent impeachment by the House; the Brownlow Committee Report and Franklin Roosevelt's effort to reorganize the executive branch; and finally, Bill Clinton's impeachment and the repeal of the Ethics in Government Act.

Although these cases cover generally familiar territory, they acquire new significance when retold by Calabresi and Yoo in the context of their overarching constitutional argument. Taken whole, the book demonstrates quite nicely that presidents have consistently sought to control the actions of all who are vested with the power to execute law and, with comparable consistency, have aggressively defended their power of removal. Progressive innovations (e.g., independent agencies) have tended to blur bright lines that once demarcated executive, legislative, and judicial powers; but even here the authors make a respectable case that, notwithstanding episodic and sometimes significant political concessions, presidents have seldom if ever acquiesced legally to constitutional arguments questioning their authority to control the administration of law and policy. Among the lessons to be drawn from the authors' analysis is that the Progressives did us no favors when they undermined the separation of powers.

In advancing their argument for the unitary executive, the authors make a point to disavow "the very broad claims of implied, inherent power" asserted by various presidents as "deviations from the more moderate general practice." If their point is merely that textual, political, and historical arguments for presidential control of administration can stand on their own, fair enough. But at critical junctures their thesis radiates a broader understanding of executive discretion than they seem willing to acknowledge. Can the case for executive control of administration be so neatly separated from the "implied, inherent power" of the presidency, as they insist? In their treatment of Jefferson, Jackson, Lincoln, the two Roosevelts, Nixon, Reagan, and George W. Bush, the authors see the connection but choose to avert their gaze.

Whether they do so for tactical reasons, or whether they are genuinely ambivalent about the matter, is hard to say. The book provides evidence for both suppositions. Either way, by focusing as narrowly as they do, Calabresi and Yoo run the risk of inadvertently diminishing the importance of the presidential office. On their showing, the president is, or at least ought to be, the nation's chief administrative officer; but that is only one, and by no means the most important, reason why we have the kind of presidency we do. Article II's larger purposes derive from the founders' recognition that broad discretionary authority is necessary to secure the ends of republican government. Behind that, in turn, are questions that, like a brooding omnipresence, have hovered over the executive since at least the time of John Locke: why is such discretionary power necessary at all, just how broad should it be, and can its exercise be entirely confined by law? Calabresi and Yoo would

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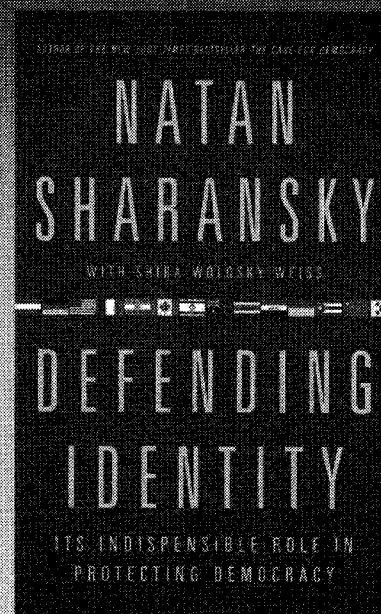
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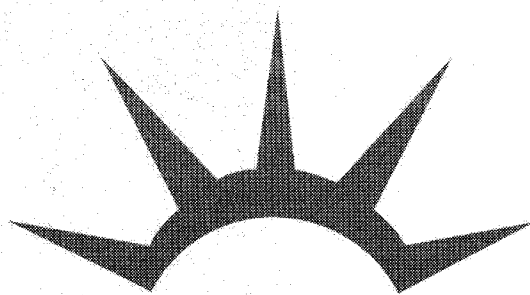
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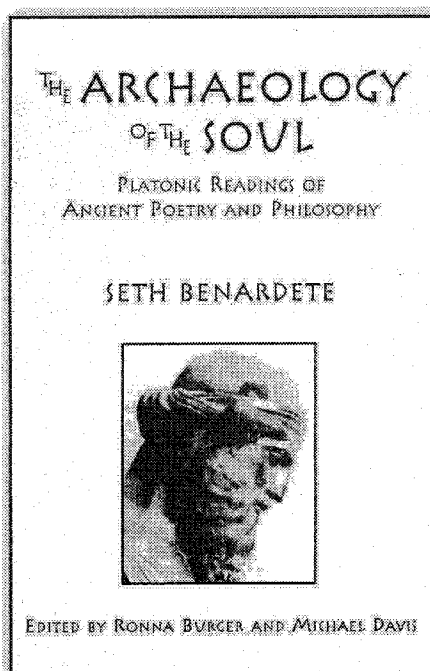
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The core of the book consists of a set of essays Benardete produced in his last years, but, at the same time, the collection provides an entry into that world through some of Benardete's earliest articles on Plato and Greek poetry.

528 pages, 6" x 9", jacketed clothbound; ISBN: 978-1-58731-033-1; notes, bibliography of Benardete's works, index, \$57.50, October 2010

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no doubt reply that they did not set out to write a comprehensive treatise on presidential power. So be it, but in case they do, they may want to consider Harvey Mansfield's *Taming the Prince* (1989), along with the works of Bessette and Tulis and our next three authors.

Executive Power in American History

WHERE CALABRESI AND YOO FEAR TO tread, John Yoo (no relation) has no hesitancy to march, all flags flying. *Crisis and Command: A History of Executive Power from George Washington to George W. Bush* is the indefatigable Yoo's third substantial book on presidential power in five years. These works, along with a slew of hefty law review articles, make him a formidable force in presidential studies, a writer whose opinions can be contested but are impossible to ignore.

Yoo's hard-left critics dismiss his arguments as so much ideological pamphleteering by a partisan hack who makes preposterous claims for unbridled presidential power. He has been particularly excoriated for his actions as deputy assistant attorney general in the Department of Justice from 2001–03, when he authored memoranda justifying, *inter alia*, the Bush Administration's incarceration of illegal enemy combatants, enhanced interrogation techniques, and the use of military tribunals. For his efforts, Yoo has been subjected to civil litigation, investigated by Justice Department attorneys for unprofessional conduct (despite their high-handed maneuvers, he has been exonerated), threatened with disbarment, picketed outside his classroom, and suffered attempts to have him dismissed as a professor of law at the University of California, Berkeley. These and similar gestures, which have all the characteristics of a politically motivated vendetta, seek to portray him as a corrupt or incompetent attorney whose views are outrageously beyond respectability.

Yoo's scholarly achievements, professional competence, and personal demeanor could not be more at odds with these nasty caricatures. Agree or disagree with his conclusions, his carefully researched and voluminous writings on presidential power meet the highest standards of scholarly endeavor. He deals fairly, even as he disagrees, with opinions that differ from his own. In interviews and debates, even when provoked by *ad hominem* attacks, he retains a remarkably cheerful civility, sticking to substantive arguments that he unravels with sure-footed competence that his opponents must surely envy.

The Left's real objection to Yoo is political: they do not believe that the war on terrorism is a real war or, if it is, that it should have been fought in the way Bush chose to fight it. If that weren't enough, Yoo has had the temerity to ob-

serve that broad executive discretion of the sort he endorses was once a major premise of liberal constitutional advocacy. His third crime, so to speak, is to root the case for “decision, activity, secrecy, and dispatch” (Alexander Hamilton’s description of executive virtues in *The Federalist*) in the original understanding of Article II. And, finally, he not only defends this capacious Hamiltonian reading on historical and legal grounds; he also argues that it has been the constitutional *leitmotif* uniting the practice of our most celebrated presidents.

These hallmark themes are abundantly displayed in *Crisis and Command*. The book confirms Yoo’s encyclopedic knowledge of historical practice and constitutional precedent. It also confirms that George W. Bush’s bold assertions of executive power in time of war were hardly aberrational. Whether the emergency was as grave as the president believed is a judgment call about which thoughtful commentators can certainly disagree. Yoo readily acknowledges as much but argues that such judgments are essentially political, rather than legal, in nature. He notes that most of Bush’s illustrious predecessors—Washington, Jefferson, Jackson, Lincoln, FDR, Truman, and Reagan—were also accused by their opponents of bad judgment and, one might add, bad faith. Yet history has confirmed their bold use of executive authority as a boon to the nation. Yoo is content to let history be the final judge of Bush’s behavior.

It would be a mistake, however, to read *Crisis and Command* as Yoo’s *apologia pro vita sua* or as a mere brief for Bush. The 43rd president occupies but a few pages in a nearly 500-page treatise. Rather, the book is an engaging, dispassionate discussion of the origin and development of executive power in American history. Yoo covers both domestic and foreign policy and fairly presents all sides in major controversies. Anyone who doubts this need only consult his chapter on FDR, which presents as balanced an assessment of the great man as may be found in a small space. He is comparably succinct and fair-minded in his treatment of the policies and personae of other great figures as well. His discussions of leading Supreme Court cases dealing with executive power are models of clarity, brevity, and evenhandedness.

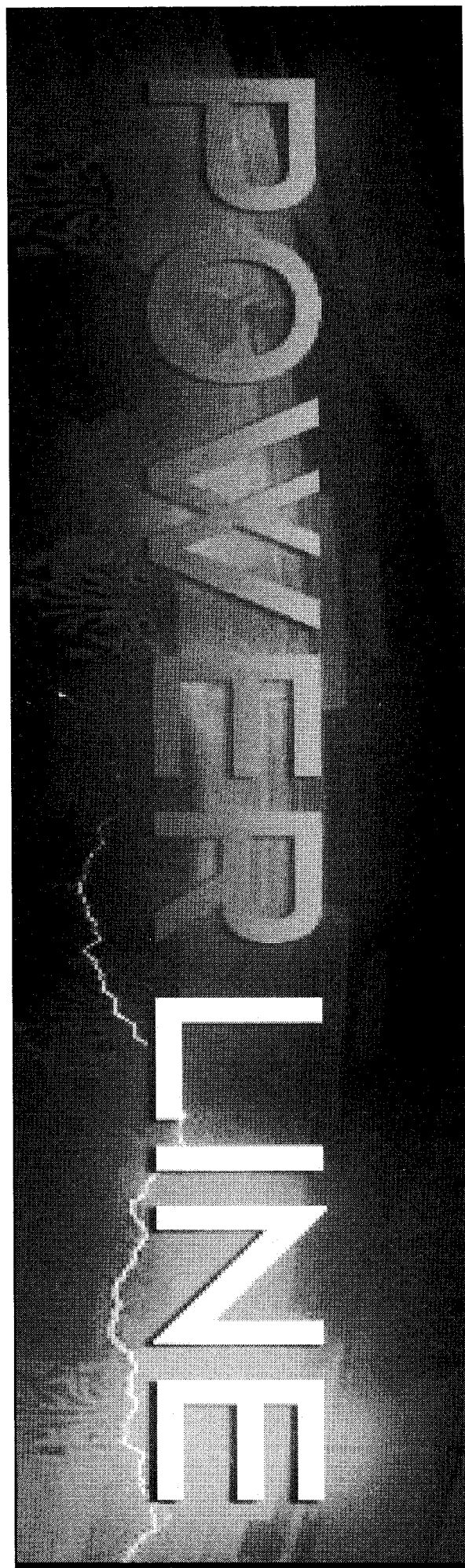
Yoo has a definite point of view, which he advances openly and reasonably; but he believes the evidence can carry the burden of his argument. And the evidence he assembles is massive, not to say compelling. Other readers will no doubt disagree about the weight Yoo assigns to particular legal positions and political facts, but they will not be able to complain that he has left anything of historical importance out of his account. *Crisis and Command* may justly take its place among the best treatments of the subject now in print.

Extra-constitutional Measures

YOO BEGINS HIS BOOK WITH A BRIEF summation of modern political thought as it bears on *prerogative*—as Locke defined it, “Power to act according to discretion, for the publick good, without the prescription of the Law, and sometimes even against it.” Yoo thinks that Article II meant to constitutionalize something very close to Locke’s definition of prerogative power and that legal reservations on the point (by Madison and Jefferson, for example) have been resolved in the president’s favor by subsequent experience. He is not oblivious to the risks of vesting vast discretionary power in the president; he simply believes the nation has no other choice. He questions the legality and wisdom of statutory schemes (such as the War Powers Resolution or the Foreign Intelligence Surveillance Act) that seek to micromanage executive discretion in foreign and national security affairs. Congress has an arsenal of other powers it can deploy to reign in presidential excess, especially the power of the purse. Its problem is not the want of power, but political reluctance to use it—reluctance, Yoo would say, that tends to reinforce his argument for executive discretion.

Others no less devoted to national self-preservation would disagree. The difficulty of maintaining the delicate balance between prerogative and the rule of law, and how best to do it, are the focus of two fine new studies in political theory: *The Discretionary President: The Promise and Peril of Executive Power* by Benjamin Kleinerman, assistant professor of constitutional democracy at Michigan State University; and *Outside the Law: Emergency and Executive Power* by Clement Fatovic, assistant professor of political theory at Florida International University. Despite somewhat different theoretical emphases, Kleinerman and Fatovic agree that Yoo’s argument goes much too far. Both recognize the necessity of prerogative during emergencies, but believe that Yoo’s reading of Article II effectively guts the rule of law—or, put another way, uses the color of law to eliminate the possibility of law.

This, they believe, contravenes the spirit of liberal constitutionalism inherited from Locke. On Kleinerman’s reading, Locke was no simple-minded legislative supremacist; but, even as he recognized the necessity for prerogative powers, he did not intend that prerogative should be trumps. If legislative supremacy underestimates the force of “accidents and necessities,” as Locke called them, the routinization of prerogative would lull the people into complacency. A central purpose of the separation of powers, Kleinerman argues, was to force the executive to justify his use of prerogative as truly necessary to the preservation of liberty. A properly designed



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constitution, in other words, would enable civil society to have it both ways—prerogative to deal with unforeseen contingencies, and the rule of law to ensure that its exercise would not be abused. The United States Constitution seeks to strike the proper balance; but, Kleinerman argues, Hamilton's reading of Article II, especially in his *Pacificus* essays (written in 1793 to defend President Washington's Proclamation of Neutrality), tilts the balance too far in the direction of executive prerogative. It was Madison, he says, who, by questioning the thrust of Hamilton's argument for implied powers, got the balance right.

Fatovic would generally agree, although for slightly different reasons. His main theme concerns the irreducible necessity for virtue in a republic—in the people no less than in their chief executive. He argues that modern political theory's emphasis on creating institutional surrogates for the want of character will not avail. Government cannot be reduced to a machine, and although some institutional solutions are better than others, constitutional structures can accomplish only so much. At the same time, he agrees with Kleinerman that a well-constructed constitution will induce habits of mind and heart conducive to individual liberty and responsibility. And, like Kleinerman, he fears that if prerogative is understood as being within the ambit of the law, its use will become regularized; the governed, like the frog in the pot of slowly warming water, will be lulled into complacency. For that reason, he inclines toward the Jeffersonian belief that, although necessary, prerogative should be understood as extra-constitutional.

Hardly indifferent toward practical consequences, Fatovic is relatively more interested

in tracing the political theory of the modern executive. Kleinerman, who is also deft in his handling of modern political theory, is relatively more interested in exploring the delicate balance between prerogative and the rule of law as it has worked itself out in American political experience. He looks to Lincoln as the proper model for emulation because Lincoln understood that extraordinary (and temporary) exigencies justified departure from the law; but by seeking and obtaining subsequent ratification from Congress for his actions, he made a deep bow to the supremacy of law and reminded the people that he was only the temporary steward of *their* Constitution.

Though his defense of Lincoln is powerful, the line Kleinerman says that Lincoln sought to draw may disappear under the press of modern exigent circumstances. Both he and Fatovic (the latter even more so) excoriate George W. Bush for attempting to constitutionalize prerogative on a regular basis. But this may not be, as they imply, merely a consequence of Bush's misguided thinking about the nature of his powers. Islamist-inspired terrorism presents dangers of a sort quite unlike any we have had to confront in the past, and they are likely to be with us for a very long time. And they may not be easily amenable to defeat in the form of set battlefield encounters. Modern weapons and communications technology, for example, enable the enemy (who neither recognizes the rules of war nor suffers the constraints of state actors) to strike from a distance with deadly effect.

The right policy for dealing with this threat is properly a matter for public debate, in which Congress and, at least indirectly, the people

should be involved. But, operationally, only a president has the knowledge and the capacity to act quickly against the "accidents and necessities" that now confront us. That fact will very likely cause him to push the envelope of his discretionary power to the hilt, not for reasons of self-aggrandizement but for public safety's sake. Whether and how Congress should be informed of, or otherwise involved in, these operational details are, again, matters for debate; but, it is not immediately clear (other than on a high level of abstraction) how the lessons taught by Madison or Lincoln should apply to many features of the war against terror.

Kleinerman and Fatovic argue, for example, that President Bush acted too often without consulting Congress. Despite Bush's occasionally extravagant claims to unilateral power, the charge will not withstand much scrutiny. The record will show that Congress was reasonably well informed on most, if not all, of the larger issues, and that it either formally authorized, or acquiesced in, virtually everything he did.

All of which may simply be to suggest that refined understanding of a problem may not yield much in the way of practical results. As Locke, Hamilton, Madison, Jefferson, and Lincoln all recognized, albeit in different ways, self-preservation is the first goal of liberal constitutionalism. One can only speculate about the advice they might have given President Bush under circumstances they could scarcely have imagined—or whether our constitutional order would be necessarily better off if he had listened.

Michael M. Uhlmann is visiting professor of political science at Claremont Graduate University.

A FRIEND TO THE UNION

John Marshall: Writings, edited by Charles F. Hobson.
Library of America, 950 pages, \$40



CASUAL, WARM, CONFIDING, EARTHY, SELF-effacing, and funny, John Marshall was probably the most companionable of the founding generation's patriot-statesmen. Esteemed as the greatest justice in the U.S. Supreme Court's history (he served from 1801 to 1835), Marshall's public life was long, varied, and eventful.

As a young soldier in the Continental Army, he saw action at Brandywine, Germantown, and Monmouth, and spent the brutal winter of 1777–78 at Valley Forge. Elected in 1782 to the House of Delegates in his home state of Virginia, Marshall was subsequently elected to the state's constitutional ratifying convention, where he sparred with the Anti-Federalist Patrick Henry in the ratification debates. At the behest of President John Adams, he joined Charles Cotesworth Pinckney and Elbridge Gerry in the diplomatic mission to France which culminated in the XYZ Affair: the French insisted upon bribes as a precondition to negotiation, enraging the young nation. Though he would have preferred to continue his Richmond law practice, Marshall succumbed to President Washington's entreaties and served in Congress. He was subsequently tapped as Adams's secretary of state, before becoming one of the president's "midnight" appointments in the final hours of his administration, when Adams named Marshall the nation's fourth Chief Justice.

The Library of America's new collection of Marshall's writings includes the full text of some of his most celebrated opinions, including *Marbury v. Madison* (1803), declaring the power of the federal courts to void laws as unconstitutional; *McCulloch v. Maryland* (1819), upholding the constitutionality of the Bank of the United States; *Fletcher v. Peck* (1810) and *Dartmouth College v. Woodward* (1819), both affirming constitutional protection for rights of property and contract; and *Gibbons v. Ogden* (1824), reading the Constitution as conferring upon Congress broad powers to regulate interstate commerce. But Charles Hobson, the editor of the Marshall Papers and of this collection, wisely includes a generous selection of personal correspondence, the issue of a long, engaged life lived largely on the road. At the time, Supreme Court Justices were required to "ride circuit," sitting with lower federal court judges in an assigned geographic region to form regional federal courts of appeal. This meant that Marshall's discussions with his fellow justices—chiefly Bushrod Washington (the president's nephew) and Justice Joseph Story—were frequently epistolary, as was his relationship with his wife, Polly, whom he ministered to tenderly and missed dearly.

Marshall was a Federalist, and, in many respects, a conservative. But his temperament was mild, and his inclinations pragmatic. He

preferred men "unconnected with party and unstained by faction, who can have no object but the public good, no interest distinct from that of the community." "No man regrets more than I do," he explained in 1800, "that intolerant & persecuting spirit which allows of no worth out of its own pale, & breaks off all social intercourse as a penalty on an honest avowal of honest opinions." A man of deep and genuine feeling, he was nevertheless a critic of emotional excess in politics, and repeatedly lambasted the prominence of zeal, excitement, turbulence, and ferment in the public life of his day. He believed in "well-regulated democracy," and thought that the Constitution provided an exemplary framework for its practice.

Marshall's distaste for zeal informed his intense, life-long dislike for his second cousin Thomas Jefferson. The feelings were mutual, and theirs was one of the founding era's most pronounced antagonisms. Marshall tartly reminded Henry Lee, who made the mistake of praising Jefferson in correspondence, that "I have never thought him a particularly wise, sound, and practical statesman." Transported by radicalism and romanticism (Marshall elsewhere referred to him sarcastically as "the great Lama of the mountains"), Jefferson was enthralled by the soon-to-turn-homicidal French Revolution, to the level-headed Marshall's lasting disgust.

AMERICAN POLITICAL THOUGHT

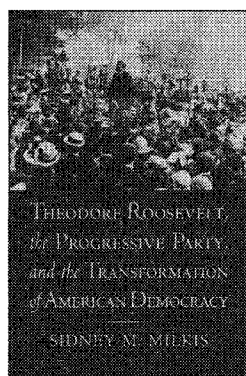
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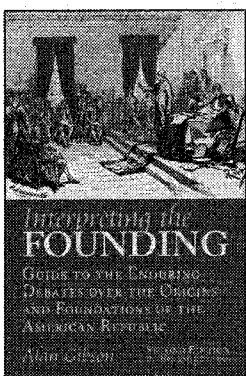
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If Marshall's opinion of Jefferson was low, his estimation of Jefferson's partisans was subterranean. On the eve of the third president's inauguration in 1801, Marshall opined that

the democrats are divided into speculative theorists & absolute terrorists: With the latter I am not disposed to class Mr. Jefferson. If he arranges himself with them it is not difficult to foresee that much calamity is in store for our country—if he does not they will soon become his enemies & calumniators.

Marshall was a vigorous defender of the power and dignity of the federal judiciary—the scourge of Jefferson and the Jeffersonians. (Chief Justice John Roberts's recent defense of the Supreme Court against President Obama's criticism in his State of the Union Address was eminently Marshallian; Roberts is known to be a fervent admirer of his predecessor.) Marshall wrote that Jefferson's "ranting declamation, this rash impeachment of the integrity, as well as opinions of all those who have successively filled the judicial department," bothered him considerably. "I find myself more stimulated on this subject than on any other," he wrote to Bushrod Washington in *McCulloch's* aftermath, "because I believe the design to be to injure the Judges & impair the constitution." To Justice Story, Marshall explained:

For Mr. Jefferson's opinion as respects this department, it is not difficult to assign the cause. He is among the most ambitious, & I suspect among the most unforgiving of men. His great power is over the mass of the people & this power is chiefly acquired by professions of democracy. Every check on the wild impulse of the moment is a check on his own power, & he is unfriendly to the source from which it flows.

Marshall was particularly galled by the Jeffersonians' distrust of the national government, and their enthusiasm for "state rights," which he understood as a revival of the Anti-Federalists' anti-constitutional sentiments. Though he is best known today for *Marbury v. Madison*, Marshall's most significant decision, and the one that occasioned the sharpest public reaction in his own time, was the ringingly nationalist *McCulloch v. Maryland*. There, giving a broad interpretation to Congress's Article I, Section 8 power "[t]o make all Laws which shall be necessary and proper for carrying into execution the foregoing [enumerated] powers," the Court upheld the power of Congress to charter the Second Bank of the United States. "Let the end be legitimate," Marshall wrote in his eloquent

opinion for the Court, "let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the constitution, are constitutional." Against those who argued that they could find no express power to charter a bank in the document's enumeration of congressional powers, Marshall answered that, unlike an ordinary statute, the Constitution was necessarily written in broad and general terms, "intended to endure for ages to come, and, consequently, to be adapted to the various crises of human affairs."

When *McCulloch* was handed down, Marshall privately warned Bushrod Washington that "[w]e shall be denounced bitterly in the papers & as not a word will be said on the other side we shall undoubtedly be condemned as a pack of consolidating aristocrats." He was right. To "excite this ferment the [Court's] opinion has been grossly misrepresented," he observed, "and where its argument has been truly stated it has been met by principles one would think too palpably absurd for intelligent men. But prejudice will swallow anything." So Marshall decided to counter the prejudice in favor of state rights by presenting in the public prints his own defense of *McCulloch*.

HIS PSEUDONYMOUS DEFENSE OF THE *McCulloch* opinion—recognized by scholars only in recent years, and making a worthy addendum to *The Federalist*—was published in the *Philadelphia Union* in two parts. In April 1819 Marshall wrote as "A Friend to the Union" in response to the editorials of "Amphyction." Two months later, he appeared in the *Alexandria Gazette* as "A Friend of the Constitution" responding in nine parts to "Hampden," a pseudonym sported by Virginia Court of Appeals Justice Spencer Roane, the judge the Marshall Court had checkmated in *Martin v. Hunter's Lessee* (1816). In his essays, Marshall argued at length that the theories advanced by the stinging editorials of Amphyction and Hampden in Marshall's hometown paper, the *Richmond Enquirer*, "would essentially change the constitution, render the government of the Union incompetent to the objects for which it was instituted, and place all its powers under the control of the state legislatures. It would, in great measure, reinstate the old confederation." "[O]ur constitution is not a league," Marshall insisted: "It is a government." "Our constitution is not a compact. It is the act of a single party. It is the act of people of the United States, assembling in their respective states, and adopting a government for the whole nation." "All arguments founded on leagues and compacts," he wrote, were rooted

in "an unaccountable delusion." "Let Hampden succeed," Marshall argued, "and that instrument will be radically changed. The government of the whole will be prostrated at the feet of its members; and that grand effort of wisdom, virtue, and patriotism, which produced it, will be totally defeated." "The question is of real importance to the people of the United States," he insisted: "If the rule contended for would not absolutely arrest the progress of the government, it would certainly deny to those who administer it the means of executing its acknowledged powers in the manner most advantageous to those for whose benefit they were conferred."

Marshall firmly rejected the proposition that the national government possessed only the power to undertake those tasks necessary to its preservation. He defended instead the view that the national government was granted full power to provide for the nation's "happiness, its convenience, its interest, [and] its power." He reminded his critics that "[t]he equipoise... established [by the Constitution] is as much disturbed by taking weights out of the scale containing the powers of the government, as by putting weights into it." These views were the natural consequence of neither liberal nor strict interpretation but rather "fair construction," consistent, he explained, with his understanding that constitutional provisions should be interpreted to "promote the objects for which they were made."

IN SUBSEQUENT YEARS, MARSHALL ANXIOUSLY followed the progression of the states' rights cause. He condemned South Carolina's 1832 Proclamation of Nullification as a "mad and wicked measure" and he insisted that "[w]e are now gathering the bitter fruits of the tree even before that time planted by Mr. Jefferson, and so industriously and perseveringly cultivated by Virginia." He found Jefferson's Jacksonian (Democratic) successors to be "a hungry and vindictive party," and worried about the Union's fate under their stewardship. Upon receiving a copy of Joseph Story's masterly *Commentaries on the Constitution* (1833) as a gift from the author, Marshall told Story that he

greatly fear[ed] that, south of the Potomack, where it is most wanted, it will be least used. It is a Mohomedan rule, I understand, "never to dispute with the ignorant," and we of the true faith in the South abjure the contamination of infidel political works. It would give our orthodox Nullifier a fever to read the heresies of your commentaries. A whole school might be infected by a single copy

should it be placed on one of the shelves of a book case.

The same year, he told his cousin Humphrey Marshall that "[t]he time is arrived when these truths must be more generally spoken or our union is at an end. The idea of complete sovereignty in the states converts our government into a league, and if carried into practice, dissolves the union." Alas, he lamented to Story, it seems that "the word 'State Rights'...has a charm against which all reasoning is vain."

Slavery, of course, only compounded the problem. Marshall believed "that nothing portends more calamity & mischief to the Southern states than their slave population." "Yet," he observed, "they seem to cherish the evil and to view with immovable prejudice & dislike every thing which may tend to diminish it." Although he did not live to see it, no one would have been less surprised at the outbreak of the Civil War than John Marshall, and few more satisfied with the nationalization of the country's constitutional politics in its aftermath.

Throughout his busy life, Marshall yearned for the domestic comforts of hearth and home, and looked forward to long days passed in gentle companionship with his wife. He hoped for a retirement in which he would "read nothing but novels and poetry" (Jane Austen was a special favorite). Perhaps inevitably, given his irrepressible enthusiasm for political debate, and his heartfelt patriotism, such a retirement was never to be. In an autobiographical sketch prepared at Joseph Story's behest, he recalled that he had

grown up at a time when a love of Union and resistance to the claims of Great Britain were the inseparable inmates of the same bosom; when patriotism and a strong fellow feeling with our suffering fellow citizens of Boston were identical; when the maxim "United we stand, divided we fall" was the maxim of every orthodox American.

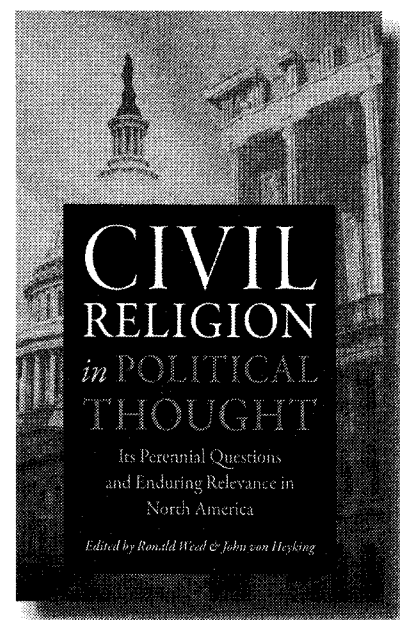
As fundamental questions of the nature and the future of the Union assumed increasing prominence, Marshall remained active, and on stage, dying in office in 1835. His exposition of the political theory of the American Union remains among the most eloquent and compelling ever written. This collection provides a worthy tour of the mind, and an intimate and endearing portrait of the character, of this down-to-earth yet extraordinary man.

Ken I. Kersch is founding director of the Clough Center for the Study of Constitutional Democracy and associate professor of political science, history, and law at Boston College.

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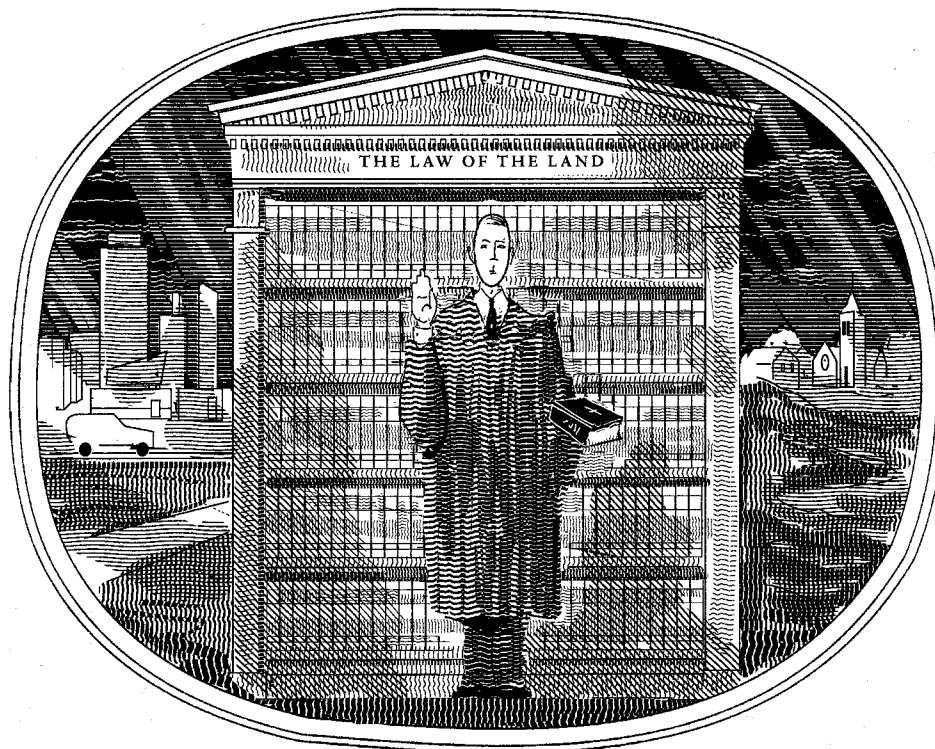
Book Review by James R. Stoner, Jr.

NEITHER FORCE NOR WILL

Law and Judicial Duty, by Philip Hamburger. Harvard University Press, 704 pages, \$49.95

Judges and Unjust Laws: Common Law Constitutionalism and the Foundations of Judicial Review, by Douglas Edlin. University of Michigan Press, 336 pages, \$65

I Do Solemnly Swear: The Moral Obligation of Legal Officials, by Steve Sheppard. Cambridge University Press, 304 pages, \$88.99 (cloth), \$29.99 (paper)



IF, UNDER THE CONSTITUTION, NO ONE CAN BE convicted of treason without two witnesses to the same overt act, how many are needed to prove fidelity? That's a trick question, of course, for between innocence and guilt there is asymmetry. Innocence is presumed in accusations in part because it is impossible to prove.

How many scholars, then, working independently, must make the same discovery before a longstanding presumption in constitutional matters is reversed? Three books have recently appeared, published at major presses by scholars across the political spectrum, all challenging the standard understanding of judicial review. These books do not deny that judges can legitimately set aside unconstitutional acts; what they deny is that this practice is best understood as a power vested in courts. The authors argue that most of the problems concerning judicial review—how it is exercised by courts and viewed by other political actors, and how legitimate it seems to the public at large—would be mitigated, if not outright eliminated, if the practice were understood not as a political power but as a judicial duty. This, they claim, is precisely how constitu-

tional review was originally understood by the common-law judges who initiated it.

The most thorough, and most historically based, statement of this case is Philip Hamburger's *Law and Judicial Duty*. Already well known for his revisionist classic, *Separation of Church and State* (2002), Hamburger takes the story back to early modern England, then forward to the pre-*Marbury v. Madison* cases thought to have established judicial review in the newly independent United States. He shows that the idea that it is a judge's duty to decide cases according to the law runs throughout the judicial oaths of the common-law courts in England and America. He contrasts academic law and common law: the former was anchored in philosophy, theology, and civilian jurisprudence (i.e., civil law); the latter was constituted by the practice of courts and the reports of cases. In the 16th and 17th centuries, the English judge was bound only by the common law; what was lost in theoretical elegance was gained in practical effect, for the common-law judge ranged widely through the legal materials available to him, beginning from the relevant precedents

but considering evidence from other sources as it was raised. When in the 18th-century academic sources were no longer seen as a threat to the ascendancy of common law, writers such as William Blackstone and judges such as Lord Mansfield could begin to incorporate natural-law arguments into common-law jurisprudence. But on the whole the common-law judges preferred to work with precise, circumscribed legal rules, not abstract, sweeping principles of justice. Their discretion was formed by law and exercised not freely or arbitrarily but according to the law. There was an art or skill of deciding cases, and it had nothing to do with political strategy: it involved the independent exercise of judgment, particular to the case but not creative, at once drawing from and contributing to the vast record of decisions that formed the law.

WHEN THE AMERICAN CONSTITUTIONS appeared on the scene as authoritative, written expressions of the will of the people, they were assimilated into the common lawyers' approach to the law. While taking into account the whole array of rules and

precedents and statutes, judges paid attention to the new constitutions, too. Long practiced at voiding executive officials' unlawful actions, judges discovered in a written constitution a means to further narrow statute laws' meaning. They didn't see this as a license to impose a policy; it resulted, instead, from a duty to decide—in the early days a duty judges were at times hardly eager to perform, because it might have left them vulnerable to the wrath of a legislature whose work they had overturned. What we call judicial review, then, was neither unknown in England nor novel in America. Common-law judges were obliged to decide cases according to the law as a whole, and they had an ancient practice of doing so in England, sometimes confining, if rarely voiding, law made by the English Parliament. There is no explicit grant of the power of judicial review in American constitutions because the framers weren't imagining or conferring anything new; judicial power and judicial oaths were already established, and with them the familiar duty to decide cases according to the laws of the land.

There is nothing in Hamburger's argument that is inconsistent with the classic presentation of judicial review in either *Federalist* 78 or *Marbury v. Madison* (1803), and indeed his reading is consistent with everything about those documents that makes them seem inadequate to the invention of a new, extraordinary power. Although critics of the modern practice of judicial review have shown that many decisions by modern judges would never have been conceived by those who established the American judiciary, Hamburger's account is distinctive and persuasive because he anchors a circumscribed judicial review in a positive duty to do justice according to law, not a negative counsel of self-restraint. The categories of activism and restraint belong to the modern realist paradigm he challenges; his discussion focuses instead upon judgment, as distinct from force and will. He applauds strong judges determined to do their duty, and recognizes that part of their strength is to see the depth—and limits—of judicial duty in each particular case.

TWO OTHER ACCOUNTS OF JUDICIAL DUTY also invoke the character of the judge who is bound in conscience to do justice; they are less historically confined and thus less modest in their implications for the contemporary scene. In *Judges and Unjust Laws: Common Law Constitutionalism and the Foundations of Judicial Review*, Douglas Edlin, an associate professor of political science at Dickinson College, anchors judicial review in common law, like Hamburger, and identifies Sir Edward Coke's opinion in *Dr. Bonham's Case* (1610) as a crucial precedent. But he ranges more widely,

bringing the story of the common law into the post-Holmesian age, when law becomes frankly judge-made. Edlin expands the meaning of judicial review, claiming that though judges are bound by precedent and legislative supremacy, they also have a moral duty to *develop* the law in the direction of justice. He doesn't mean to endorse assertive policy-making from the bench; new rules should be fashioned by analogy to existing ones, he cautions, and judges should focus on their own jurisdiction and their central tasks. "The law is limitless in its potential to achieve justice," he writes nevertheless, and "in its realization of that potential, the law is limited only by the reason, vision, compassion, and imagination of those to whom its expression is entrusted."

Steve Sheppard's *I Do Solemnly Swear: The Moral Obligations of Legal Officials* is the third witness to the new concern for judicial duty. The William Enfield Professor of Law at the University of Arkansas, Sheppard is in one sense more focused than Edlin—he proclaims no judicial duty to develop the law—but also wider ranging, because he insists that other legal officials have a duty to do so. Justice, he argues, must be understood in retail, not wholesale, fashion, meaning that every official responsible for enforcing the law should be held accountable to it. Simple as this sounds, it is impossible to convey in a moment Sheppard's breadth of learning or sheer inventiveness. I know of nothing quite like this book since the 18th century, and even then not from a university press. One wishes a friend had advised Sheppard to abandon a few of his law-school hypotheticals—does it really help to imagine Pastafarians (members of the fictional Church of the Flying Spaghetti Monster); or a city policeman enforcing international law?—but these occasional nods to intellectual fashion grow rare as the argument grows serious.

Sheppard defines law as an archive and a culture, not a collection of abstract rules. He sees lawyers as a distinct professional class. "Law," he writes, "is an archive of rules synthesized in a professional culture that manages these rules and to which everyone in the state is bound." If this seems to leave no room for, say, democracy, you have caught the tone of Sheppard's provocative skepticism, but not his meaning. Though he intends to dissolve political fictions that hide government's coercive character (he readily calls citizens "subjects," and not only because he takes examples from England as well as America), he also sees democracy's task as rigorously holding every legal official accountable to the law. "The whole point of democracy as a source and assurance of the laws," he writes, "must be that the people have a duty to ensure the morality of their officials." Except for jurors, no one holds office

without having volunteered for it, and that demands, so to speak, strict scrutiny of all they do officially—full accountability, at least in terms of reputation if not in more material ways.

If Hamburger sees judicial review as part of judicial duty, and Edlin regards it as part of the project of ensuring against unjust laws, for Sheppard it belongs to the quest for accountability:

We must have justice in every case because if we do not, the very reasons for any person—citizen or official—to follow the law are weakened. An argument for justice that seeks a greater good than this risks ultimately being betrayed by its own contradictions: justice is retail—personal and individual—or it does not exist.

His focus on the individual official returns judicial review to judicial duty—but his retail analogy is a red herring, because, outside of a subsistence economy, there is no retail without wholesale. Every sharp customer knows "never pay retail." If rigorous accountability is as impossible as universal retail pricing, on what principle will enforcement be discounted? Is it not sure to be political?

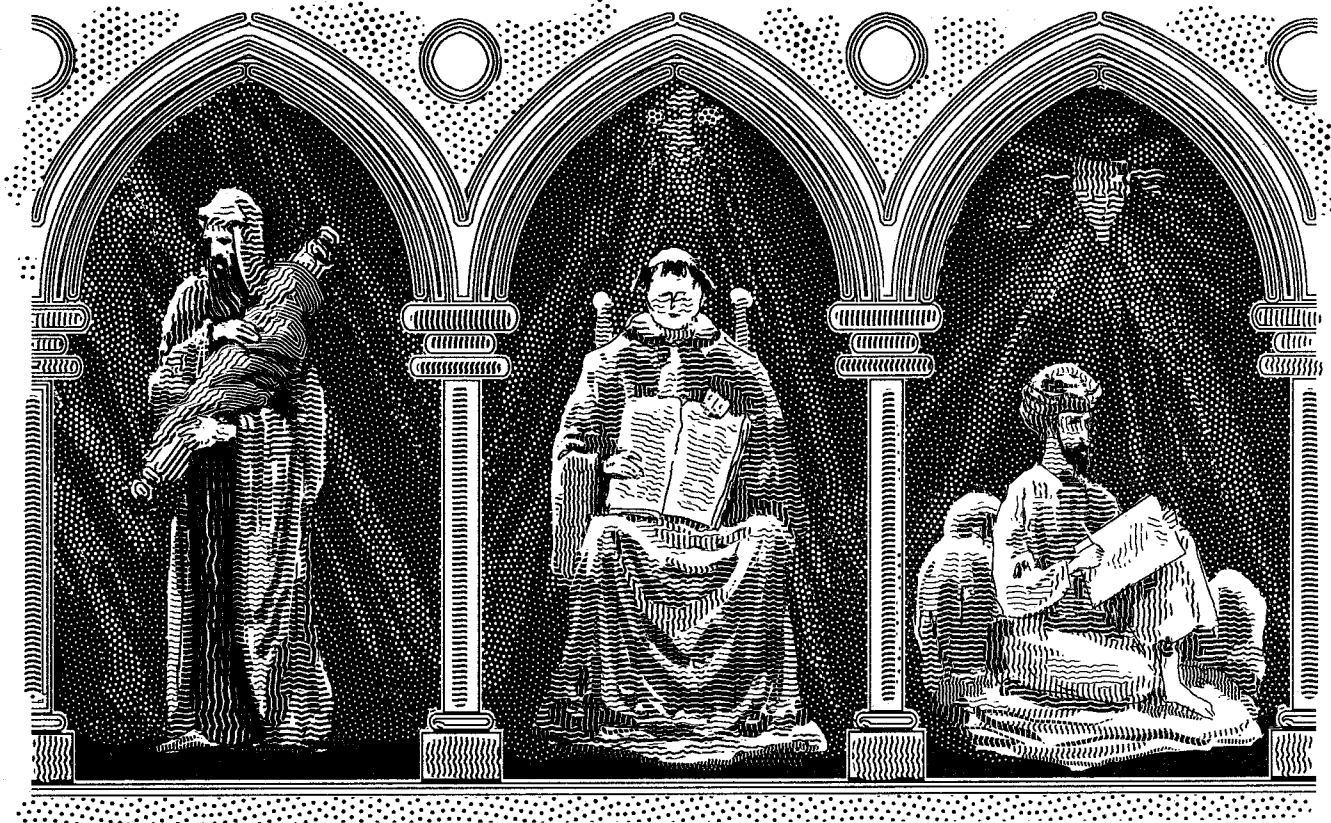
PARADIGMS SHIFT BECAUSE THE OLD THEORY no longer fits the facts as well as the new one does. If judicial review is to be redefined in terms of judicial duty and the public (including political scientists) is to stop thinking of judges as policymakers, then judges will have to relearn how to argue in terms of each case, and to decide cases in persuasive ways. Partisan framing of every issue is now so strong that few can see how focusing on judicial duty might make trial by newspaper less acceptable to the public and less tempting to the judge. Philip Hamburger and Steve Sheppard both point judges in a healthy direction by asking them to think about their duty in the matter at hand, rather than about the whole of justice. In a society that celebrates the individual person, why should we think there is a higher official calling than settling what is just when a person's life, liberty, and property are at stake? Even today, what captures public attention in legal controversies is that the real meaning of the law becomes clear in its concrete application to actual disputes. To treat cases as vehicles for policy not only puts policy-making in the wrong hands; it distracts judges from the duty explicit and implicit in their oath.

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Book Review by Douglas Kries

MEDIEVAL RENAISSANCE

The Legend of the Middle Ages: Philosophical Explorations of Medieval Christianity, Judaism, and Islam,
by Rémi Brague, translated by Lydia G. Cochrane. University of Chicago Press, 304 pages, \$35



“I AM,” CONFESSES RÉMI BRAGUE IN HIS LATEST book, “somewhat immoderately fond of provocation,” and, he adds later, “fond of understatement.” Perhaps Brague means that he provokes through understatement; perhaps he means that he has understated his fondness for provocation. In either case, he obviously enjoyed himself in writing *The Legend of the Middle Ages*, and it is impossible for us not to enjoy ourselves in reading it.

Brague began his career teaching ancient Greek philosophy at Dijon; he now teaches medieval Arabic philosophy at the Université Panthéon-Sorbonne in Paris. He says that he never intended to become a medievalist, but that he was “seduced” by the period, which he limns here for an audience of “both specialists and non-specialists.” The book comprises 16 essays introduced by an interview. Most of this material has been published previously in French, but all of it has been reworked to form the present book.

Originally published as *Au moyen du Moyen Âge* (*In the Middle of the Middle Ages*) rather than *The Legend of the Middle Ages*, the book’s two titles correspond loosely to the two goals he offers

in his short preface: “to listen” to the Middle Ages “as a period of history that has something to teach us about ourselves,” and to destroy the “teeming vermin” of legends about the Middle Ages.

Let’s begin with the English title and the second goal. Whether Brague manages to crush all the pestiferous legends about the Middle Ages is hard to know, but he does knock off a fair number. To mention three: First, he shows that the demise of geocentrism (the Ptolemaic notion that the earth is the center of the universe) in no way precipitated a corresponding demise in human self-esteem. Indeed, “[t]he Copernican hypothesis, far from being considered a wound, was felt as a flattering promotion: instead of crouching in a dungeon, man was henceforth the inhabitant of a neighborhood as chic as the sun’s.” Second, he points out that Averroes, whose stock has risen dramatically within the contemporary French philosophical establishment—“Averromania,” Brague calls it—was not, after all, really “a nice man, in the Hollywood sense of ‘a good guy.’” Finally, he pours cold water on the legend currently in vogue about the open dialogue among the three Abrahamic religions in the multicultural Medi-

terranean of the Middle Ages. This pest attracts Brague’s ire most of all, for he views it as a myth modern Europeans want to foster so they can pretend to see themselves in a historical mirror. The problem is that such open religious dialogue almost never occurred. Cordova, for example, the alleged multicultural center of both medieval faith and Mediterranean learning, was in fact a city so retrograde that it exiled its two greatest thinkers, Maimonides and Averroes.

Although crushing the teeming vermin of bad history is always useful, and though no one else could ever hope to do it with Brague’s graceful charm and astonishing erudition, the book’s more serious purpose is to listen to the Middle Ages in order to learn about ourselves. Such an exhortation may remind CRB readers of Leo Strauss. And indeed, approximately 20 years ago, Brague wrote two related essays on Strauss’s understanding of Arabic medieval philosophy that were eventually published in English as “Leo Strauss and Maimonides” and “Athens, Jerusalem, Mecca: Leo Strauss’s ‘Muslim’ Understanding of Greek Philosophy.” Shortly after completing that diptych, Brague published *Europe, la voie romaine*, which was expanded and

translated into English in 2002 as *Eccentric Culture: A Theory of Western Civilization*. This book attempted to provide, Brague said, a “Roman” view of Western culture as opposed to Strauss’s “Meccan” interpretation.

IN THE LEGEND OF THE MIDDLE AGES, BRAGUE revisits his earlier argument with Strauss. This is not the principal or ostensible focus of the book—Strauss is cited by name only a handful of times—but the dispute between the two is often just beneath the surface. Both Brague and Strauss recognize that, properly speaking, there is no such thing as Jewish, Christian, or Islamic philosophy; there is only philosophy done in Jewish, Christian, or Islamic cultural or political contexts. Brague, moreover, credits Strauss with having understood that the “institutionalization” of philosophy in Christian Scholasticism meant that Latin medieval philosophy was radically different from Arabic medieval philosophy. Brague does not call Arabic philosophy “esoteric,” but he does note that Avicenna, for example, often practiced philosophy at night, and he thinks it possible that certain Islamic philosophers found it convenient to make sure that their writings did not conflict openly with the regimes in which they lived.

Brague challenges Strauss primarily with respect to the latter’s assessment of Christian Scholasticism. Strauss argued that the Scholastics had compromised philosophy by forcing it to serve as a handmaiden to revealed theology; but Brague thinks that the method for appropriating philosophy practiced by the medieval Christians was, and is, preferable to that of the Muslims. The Islamic lands appropriated through “digestion,” in which the philosophical texts were absorbed into the dominant culture so that they no longer had a distinct status. The appropriation of philosophy in Scholasticism, on the other hand, was not aimed at digestion, but at a sort of “institutionalized indigestion.” That is, the Christians preserved the original texts, but did not absorb them; the works of Aristotle and other classical philosophers always remained “other.” The Scholastics, Brague implies, actually preserved ancient philosophy more faithfully than did their Muslim counterparts—a conclusion diametrically opposed to Strauss’s. This is not the place to attempt to

adjudicate the argument between the two, but Brague’s tantalizing thesis, with its emphasis on different methods of appropriating texts, would seem to miss Strauss’s principal point, which is that the Christians had compromised philosophy as a way of life, whereas the Arabic philosophers had practiced such a life.

IN THE LEGEND OF THE MIDDLE AGES, BRAGUE’S preference for appropriation by “inclusion” is related to his general understanding of and appreciation for medieval Europe. Unlike Europe today, medieval Europe knew pretty much what its boundaries were; it was basically coextensive with what had been the Western or Latin part of the Roman Empire. This meant that the medieval Europeans knew that the ancient Greek philosophy they were reading was non-European in origin. They could not avoid the obvious fact that they were unworthy dwarfs standing on the

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shoulders of foreign giants. Something similar applied to Europe’s dominant medieval religion. Despite pressures to jettison the Hebrew Scriptures during its first centuries, the Church clung stubbornly to the Old Testament, preserving it intact through inclusion rather than digesting it. Whereas the Koran includes no books belonging to the predecessors of Islam, the European Christians were forced to acknowledge that, once again, they were beholden to others. Medieval Europe was thus always aware that neither “Athens” nor “Jerusalem” was within Europe; in short, even in gratitude, it was always aware of its humiliation.

But humiliation can result in humility, and those who are humble will be forever attempt-

ing to appropriate the “other” through inclusion, forever undertaking a new renaissance. And this, in Brague’s view, is precisely what happened in medieval Europe, for the humility of the Europeans meant that they needed “to accept going elsewhere to draw from the sources.” The Europe of the Middle Ages, then, should be understood as “an uninterrupted series of renaissances.” Stating the matter paradoxically, Brague says that “[o]ne might even go so far as to say that the Middle Ages may have been the only historical epoch that never accepted being a ‘middle age.’”

This brings us back to Brague’s fondness for provocation and his desire to have us listen to the Middle Ages in order to learn something about ourselves. Just what is it that he wants to provoke us to learn? Commenting on *Eccentric Culture* in the interview that opens *The Legend of the Middle Ages*, Brague at one point indulges in a moment of exasperation over modern Europe:

The (very relative) success of my book on Europe, with its translations, continues to amaze me. But I sometimes wonder, when my morale is low, if I might not have done better to use the time I spent writing it to learn Egyptian or Akkadian. The civilizations that used those languages offer the advantage of being thoroughly dead. But are Europeans really living? Do they want to continue to live? Or are they zombies frantically agitating their limbs so as to pass for being truly alive?

Brague’s exasperation with modern Europe, combined with his understanding of medieval Europe, leads one to conclude that he wants to provoke Europe to live again by returning to its old habit of borrowing from others, and thereby bringing forth new renaissances. But from whom is Europe now to borrow humbly? Rémi Brague seems decidedly against borrowing from Mecca. Does he expect Europe to return to its old creditors, Athens and Jerusalem?

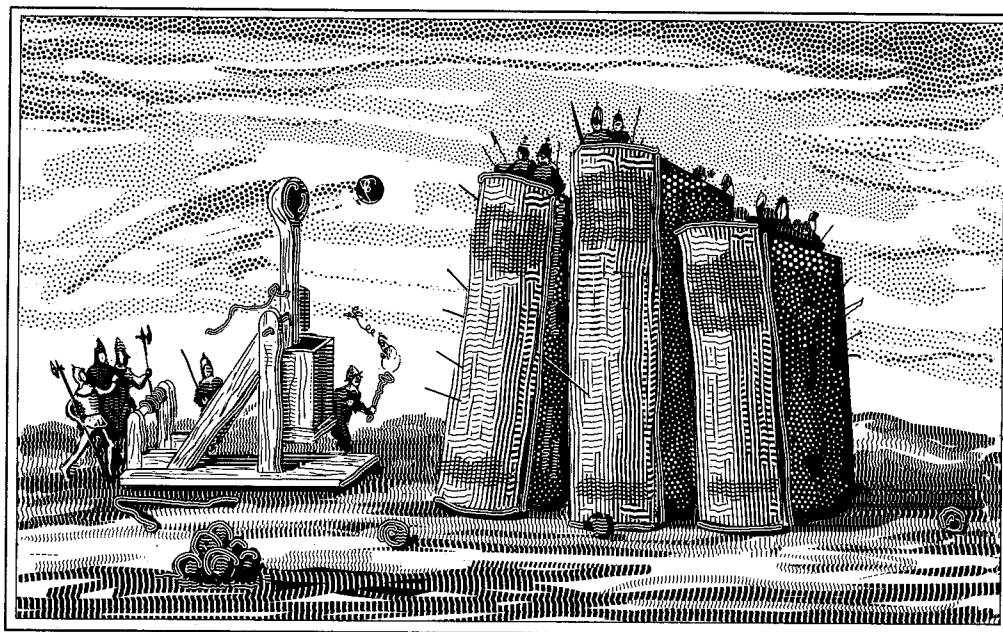
Douglas Kries is the Bernard J. Coughlin, S.J., Professor of Christian Philosophy at Gonzaga University and author, most recently, of *The Problem of Natural Law* (Rowman and Littlefield).

Book Review by Michael P. Zuckert

THE STRAUSS WARS REVISITED

Straussophobia: Defending Leo Strauss and Straussians against Shadia Drury and Other Accusers,
by Peter Minowitz. Lexington Books, 346 pages, \$110 (cloth), \$36.95 (paper)

Cloaked in Virtue: Unveiling Leo Strauss and the Rhetoric of American Foreign Policy,
by Nicholas Xenos. Routledge, 192 pages, \$140 (cloth), \$36.95 (paper)



RELATIVELY OBSCURE IN HIS OWN LIFE-time, Leo Strauss has never been so famous—or infamous—as he is now, thanks largely to a cottage industry of detractors who paint him as the evil genius behind a neoconservative cabal. In his new book, *Straussophobia: Defending Leo Strauss and Straussians against Shadia Drury and Other Accusers*, Peter Minowitz, a professor of political philosophy at Santa Clara University, admits that he is late to the fray but has joined it in order to provide a “systematic and detailed reply that focuses on the shortcomings of the diatribes” against Strauss and his alleged followers in government and the academy.

Minowitz’s main but by no means sole target is the Canadian political scientist Shadia Drury. Not only has she produced more pages of anti-Strauss polemics than anyone else (e.g., *The Political Ideas of Leo Strauss* [1988] and *Leo Strauss and the American Right* [1999]), but as Minowitz shows, she is the source of much of the ammunition discharged by others. To his credit, Minowitz is more thorough than any of Strauss’s previous defenders in exposing Drury’s “exaggerations, misquotations, contradictions, factual errors, and defective documentation.” Not all of his readers will agree that she needed to be refuted (again) at such

length, but if I were not sadly convinced by experience that her fans will credit Drury no matter how often or thoroughly she is rebutted, I would say that Minowitz leaves her not a shred of credibility.

Besides eviscerating Drury, *Straussophobia* persuasively shows that political actors like Richard Perle, Clarence Thomas, Donald Rumsfeld, and Condoleezza Rice, often said to be “Straussians,” can by no stretch of the imagination be associated with Strauss. Minowitz discusses Paul Wolfowitz more thoroughly than is normally part of the Strauss Wars literature, reiterating the point Wolfowitz himself has often made, that his chief mentor was Albert Wohlstetter, not Leo Strauss or Strauss’s student Allan Bloom. Still, in sketching the relationship between Strauss and neoconservatism, Minowitz might have said more about the differences between the older and younger generations of neoconservatives.

The book’s biggest revelation is Minowitz’s contention that Straussians are treated in the Straussophobic literature in much the same way that other “out-groups” are treated by prejudiced majorities. They are viewed through a lens of stereotype: all members are lumped together as possessing some quality undesirable to the critic, and hearsay and innuendo are allowed to

pass for evidence by individuals who normally would never reason so sloppily. The author is quick to recognize the many important differences between Straussians and more recognized out-groups, but his observations about the similarly bigoted patterns of thought directed against them are striking.

MINOWITZ’S FINAL CONTRIBUTION IS to address Nicholas Xenos’s recent book, *Cloaked in Virtue: Unveiling Leo Strauss and the Rhetoric of American Foreign Policy*, which appeared after the initial spate of books on Strauss and is worth looking at in more detail. If the first wave of Strauss critics (e.g., political scientist Stanley Rothman) faulted him for being an old-fashioned defender of antiquated moralism, and the second wave, led by Drury, argued that Strauss was not an old-fashioned moralist at all but rather a Machiavellian, a Nietzschean, or a nihilist, then Xenos represents a third wave of criticism. A political science professor at the University of Massachusetts, Amherst, he retains some of Drury’s themes (consider his title), but he takes his bearings from materials largely unavailable when Drury began her work in the 1980s. Particularly important is a letter Strauss wrote to his friend Karl Löwith in 1933. “The letter to



Löwith stands as the document at the beginning, center, and conclusion of my interpretation," Xenos writes in his Introduction. The letter expresses a point of view Strauss arrived at in the early 1930s and which, although "cloaked" after he came to America, "remained constant thereafter." For Xenos, then, "Strauss is no ordinary conservative, but rather an extreme right wing anti-modernist." He and his neoconservative "followers" who defined Bush Administration foreign policy "adhered to a view of human nature and natural order that demanded an authoritarian political form."

Besides the letter to Löwith, Xenos's interpretation relies heavily on Strauss's 1932 "Notes" on Carl Schmitt's *The Concept of the Political* and Strauss's book *On Tyranny* (1950), one of his first American works. In his hard-hitting dissection of "the political," Schmitt, who later became a Nazi sympathizer, criticized liberal politics and philosophy, championing instead the irreducible distinction between friends and enemies that he saw analyzed in Hobbes's state of nature. In Xenos's reading, Strauss shared Schmitt's critique of liberalism, but didn't think Schmitt went far enough: by appealing to Hobbes, Schmitt remained within the orbit of liberal thinking. Xenos believes "Strauss's encounter with...Schmitt's *Concept*...engendered the change of orientation" that took Strauss from being a scholar of Judaism to being a right-wing anti-modernist. Xenos finds in the Notes on Schmitt what he considers Strauss's decisive insight: "the human being [is] naturally evil, and not innocently so." That is to say, human vice stems from moral baseness, not from animal-like passion for self-preservation. From this discovery Strauss allegedly deduced the duty of "authoritarian rule" or "the necessity of dominion," which Xenos believes lies at the (sometimes concealed) core of Strauss's ultra-conservative politics. Though he sees Strauss as a great enemy of liberal democracy, he faults Drury, who drew the same conclusion, for her childish tendency (my term) to emphasize Strauss's supposedly Nietzschean elitism leading up to the rule of the wise, i.e., of Strauss and his followers. On this point Xenos defends Strauss from Drury: his "profoundly reactionary penchant for authori-

tarian" forms of government was "perceived" by Strauss to be "in the interest of the ruled, not the rulers."

Nonetheless, because Xenos entirely misses the point in the Notes on Schmitt, it is little wonder that he "unveils" a figure who bears little resemblance to Leo Strauss. Strauss described 30 years later "the change of orientation" that, he wrote, had indeed "found its first expression" in his Notes on Schmitt's little book. But that change was from "the premise...that a return to pre-modern philosophy is impossible" to the belief that such a return was possible. That's what he meant when he announced that a proper critique of liberalism requires "gaining a horizon beyond liberalism." On several occasions he credited this change of view to his friend Jacob Klein, not Schmitt.

SPACE DOES NOT ALLOW ME TO EXAMINE Xenos's tendentious interpretation of *On Tyranny*, but something must be said about the now infamous 1933 letter to Löwith. Xenos's translation of it is unreliable; and he quotes only a small part of the letter, taking it out of context and making it difficult to see Strauss's point.

Writing from Paris in May 1933, not long after Hitler came to power, Strauss begins the relevant part of the letter by complaining that he "will never be able to write other than in German," but that he cannot return to Germany. Seeing "no acceptable possibility of living under the swastika," Strauss explores first what is to become of him and "men of science" like him ("as our predecessors in the Arab Middle Ages called themselves"), and then speaks of Germany itself. The solution Strauss embraces is the life of exile and wandering, and here he is almost certainly thinking of Maimonides, a medieval man of science who spent much of his life wandering. It is worth noting that in retrospect Strauss appears to have underestimated the threat posed by the Nazi regime, which he refers to as "a shabby nuisance." He refused to return not because he feared for his life or liberty, but because the regime was an affront to his dignity as a Jew.

Still seeking a way to "protest" Nazism, he speculated in the Löwith letter that because the

Communist-socialist Left and the liberal-democratic center had failed, the only solution for Germany must come from "fascist, authoritarian, and imperial [not "imperialistic," as Xenos has it] principles." Aristotle had advised how to improve tyrannies when they are the only regimes possible and the younger Strauss (he was 33 at the time) appears to be speaking in the same spirit. What is good in a given context, in short, is what is possible and better than the status quo. Thus, in his letter he ruled out arguing with the Germans on the basis of "rights of man" as "laughable and pitiful."

Xenos and others believe Strauss was speaking beyond the immediate situation in Germany. Perhaps that is so, but I don't believe that this letter establishes that with any certainty. Reportedly Hans Jonas commented that Strauss briefly supported Mussolini in the 1930s, suggesting that he was friendly to the fascist Right and not merely acting as an Aristotelian political scientist. Yet, if true, we must view this from the vantage point of 1933, not 1945 or 2010. Mussolini's government was widely praised at the time throughout the West, including by bona fide democrat Franklin Roosevelt, whose New Deal consciously emulated fascist social policy.

Even if in the 1930s Strauss was hostile to liberalism, his succeeding years led him, on the one hand, to a much more favorable view of liberal democracy, and on the other to a much deeper view of classical political philosophy. As Peter Minowitz ably reminds us, only a prejudiced reader could miss Strauss's regular, recurrent, persistent endorsement of liberal democracy as the best regime for our time, and the regime most in accord with what the classics would recommend. The Löwith letter, certainly an interesting (if ambiguous) part of Leo Strauss's biography, cannot be seen, as Nicholas Xenos and others wish to see it, as the secret core of Strauss's mature political thought.

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Book Review by John Davidson

WAITING FOR FIDEL

Gabriel García Márquez: A Life, by Gerald Martin.
Alfred A. Knopf, 672 pages, \$37.50



THERE AREN'T MANY 20TH-CENTURY novelists whose lives are as interesting as their novels, but Gabriel García Márquez's is certainly among the few. Born in a tropical backwater of Colombia in 1927, he endured crushing poverty throughout most of his childhood and adult life—until the publication of *One Hundred Years of Solitude* in 1967. Quickly he went from being a virtually unknown writer—eight months behind on his rent—to being the voice of a continent, becoming the most celebrated Spanish-language author since Cervantes.

Just how much of his fiction had merely been lifted from life—as he has always claimed—was something of a mystery. But now, thanks to Gerald Martin's *Gabriel García Márquez: A Life*, we know the sources of at least some of his stories. Many readers of García Márquez are familiar with his early life as it relates to his seminal novel, *One Hundred Years of Solitude*: how Aracataca, the town of his childhood, became the mythical Macondo, and how his maternal grandfather, Colonel Nicolás Márquez, became Colonel Aureliano Buendía. But few readers know why Nicolás Márquez moved his family to the remote town—or that on the night when our author wrote the death of Aureliano

Buendía, he went up to his bedroom and wept for two hours, mourning, as Martin tells it, "the end of an entire era of his life and of a person he had been, and the end of a particular inexpressible relationship with the most important person in his life, his grandfather."

Martin's book is full of anecdotes and solid, well-researched history that not only grounds some of the novelist's "magical realism" in reality, but also pulls back the curtain on the magician himself: a writer whose celebrity and acclaim forced him to create a carefully managed public persona in order to preserve his private—and secret—selves. The public life is already well known; what Martin gives us is much of the private life and a few glimpses into the secret life.

A PROFESSOR OF MODERN LANGUAGES AT the University of Pittsburgh, Martin spent 17 years researching and writing this hefty volume, which he used to describe as a "tolerated" biography until García Márquez began calling him his "official" biographer. Indeed, the resulting work is a detailed account of García Márquez's life, including—as if in homage to the fictional genealogy of Aureliano Buendía—seven tedious pages of genealogy and

family origins. Even so, the book is apparently an abridgment of a longer one that Martin intends to publish later, for truly fanatical García Márquez fans.

But trouble emerges about half-way through this otherwise thoughtful and meticulous biography, as it gradually takes on the aspect of hagiography, particularly when it comes to the novelist's complicated, troubling relationships with Latin American dictators.

Of course, the elephant in the room is García Márquez's famous friendship with Fidel Castro. Here Martin is strangely incurious—and often apologetic and defensive, as if taking the opportunity to answer García Márquez's critics rather than addressing the far more important question of why the novelist worked so hard to befriend the dictator in the first place. Why would García Márquez, at the height of his celebrity, wait for a month in Havana's Hotel Nacional hoping for Castro to call? "It is easy to imagine," answers Martin, "how fascinating the thought of getting to know Castro must have been for a man as obsessed from an early age with the theme of power as García Márquez." Perhaps it's easy for Martin to imagine; he seems to share most of García Márquez's political views, and the bias is distracting.



There are many signs throughout the book that Martin has gotten too close to his subject. A fine example is his account of the infamous Padilla affair, which divided many artists and writers on the question of Cuba, and in which García Márquez came down on the wrong side—twice. The first time involved a 1968 exchange between García Márquez and the novelist Juan Marsé, who was invited to Cuba to judge a national literary competition that awarded the poetry prize to Herberto Padilla, an alleged counter-revolutionary. The award set off a national crisis of sorts and the judges were sequestered for weeks until the government relented. Afterward, Marsé told his tale to García Márquez and other friends at a party in Barcelona. Marsé told Martin that García Márquez was furious with him:

He said that I was an idiot, that I didn't understand anything about literature and even less about politics. Politics always came first. It didn't matter if they hanged all us writers. Padilla was a bastard who worked for the CIA and we should never have given the prize to him. It was an extraordinary display. He didn't actually abuse me but he made it clear that we inhabited totally different intellectual and moral universes.

But Martin isn't interested in exploring the differences between those universes, and in the very next paragraph goes to bat for his subject, explaining "what Marsé didn't know" was that García Márquez had favored a "direct behind-the-scenes approach to Castro," which apparently involved sending the Cuban dictator a letter kindly asking him not to punish Padilla. Castro did not reply.

Three years later, Cuban authorities arrested Padilla and forced him to sign a letter of self-criticism, which prompted a group of Latin American and French writers in Paris to issue an open letter to Castro condemning his "Stalinist" persecution of writers and intellectuals. Though the letter included the name of

Gabriel García Márquez—as well as Jean-Paul Sartre, Simone de Beauvoir, Mario Vargas Llosa, and many others—he had not actually signed it. A friend and fellow writer, Plinio Mendoza, wrongly assumed that García Márquez would lend his support to the cause and signed for him. Incensed, he demanded that his name be removed, and in a staged interview, defended Castro, claiming "if there were Stalinist elements in Cuba Fidel Castro would be the first to say so and to start to root them out." Martin calls this interview "the coolest and most measured public response" to the situation, and although he allows that this was a difficult time for the novelist, he quickly shuffles us along to García Márquez's other adventures—accepting an honorary doctorate from Colombia University, insulting 1967 Nobel Prize winner Miguel Angel Asturias, etc., etc.

SUCH A CURSORY, APOLOGETIC TREATMENT of García Márquez's political activities is frustrating, because Martin can often be insightful. He's at his best when analyzing the novels themselves, especially connecting certain aspects of them to people, places, and episodes that fired the young writer's imagination. And because so much of what shaped García Márquez took place early in his life and career, the first half of Martin's book proves the more interesting. Martin suggests that perhaps the most formative experience for the young García Márquez was a trip with his mother in 1950 to his childhood home in Aracataca. Here, the 22-year-old realized his literary vocation and began to develop his masterpiece: "The visit not only triggered his memory and changed his attitude towards his own past; it also showed him *how* to write the new novel." This was the house, "full of ghosts," where García Márquez's mother left him in the care of his grandparents shortly after he was born, alone in a house full of people—"grandparents, aunts, transient guests, servants, Indians."

If Aracataca and the bygone world of his grandparents formed a kind of creative template for Macondo and the "magical" universe of *One*

Hundred Years of Solitude, García Márquez's own meteoric rise to fame, his now-public persona, and his increasing political consciousness informed his next book, *The Autumn of the Patriarch* (1975), which chronicles the life and death of a fictional Caribbean tyrant. García Márquez dedicated the first copies of his dictator novel to Fidel and Raúl Castro.

Martin tells us that Vargas Llosa once referred to García Márquez as Castro's "lackey," and though Martin goes out of his way to explain that the Peruvian writer must have been jealous of García Márquez's success, it's difficult not to think there's some truth in the insult. In 1989, seven years after he had won the Nobel Prize and achieved unparalleled fame throughout Latin America—having published, to much acclaim, *Chronicle of a Death Foretold* (1981), *Love in the Time of Cholera* (1985), and, that very year, *The General in His Labyrinth*—García Márquez would somehow have nothing to say when his good friend Castro executed his other good friend (and a colonel in the Ministry of Interior), Tony de la Guardia, on trumped-up drug charges. Martin doesn't have much to say about it either, and the reader is left to wonder why.

But because the biographer is as obsequious toward García Márquez as García Márquez is toward Castro, the second half of the book gets bogged down recounting, in tedious detail, high-profile hob-nobbing with presidents, celebrities, and the super-rich. From that point, power becomes the central theme of the biography. And it's too bad, because it feels like there could have been more to say, even in a volume this thick, about García Márquez's inner struggles, motivations, and artistic vision. Here is a writer whose literary imagination drew again and again from the deep well of his own experience, an experience rich and varied enough for him to mythologize into a body of work that is among the greatest in 20th-century literature. His novels will live despite his politics. But the latter strains his life even as it vitiates this biography.

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GET HAPPY

The Politics of Happiness: What Government Can Learn from the New Research on Well-Being,
by Derek Bok. Princeton University Press, 272 pages, \$24.95

THE DECLARATION OF INDEPENDENCE eloquently recognizes the natural rights to “life, liberty, and the pursuit of happiness.” Life and liberty are relatively clear concepts, but happiness has flummoxed social scientists and philosophers for a long time. The plain meaning of the text would seem to refer to the freedom to *pursue* happiness, recognizing that definitions of happiness differ somewhat from individual to individual. For me, two hours at a *Die Hard* sequel is pure bliss, but for others, like those in a Susan Sontag reading circle, watching Bruce Willis rack up victories and sharp quips would be a special kind of hell.

This notion of the individual pursuit of happiness, however, is not the concern of former Harvard president Derek Bok in his new book, *The Politics of Happiness: What Government Can Learn from the New Research on Well-Being*. Bok tries to apply new social science research to the more abstract utilitarian question of what can bring the greatest happiness to the greatest number.

Bok’s summary of the available research is skillful and to the point. The fact is that Americans do not seem to be getting happier, and are no happier today, according to the experts, than they were in the 1950s. In addition, after a point—basically, entry into the lower middle class—increased wealth does not bring about increased happiness. People in the aggregate are poor judges of what makes them happy.

Since people can’t predict what will make them happy, Bok sets out on his own to figure it out. The book’s subtitle, which slyly substitutes the notion of “well-being” for happiness, gives the game away. The danger is that such an approach has the potential to yield a laundry list of

his favorite policy prescriptions. In other words, “well-being” becomes his individual notion of what a happy society would be like.

Bok first considers the idea of economic growth and decides that promoting it does not promote happiness. So much government policy for the last half century, he argues, has been devoted to fostering constant increases in the gross domestic product that it freezes out other policy choices—including some that might promote contentment. For example, a government looking to increase the size of the economy will be less interested in conserving natural resources or minimizing pollution. In this regard, Bok should be pleased that the Obama Administration is now in charge, and he no longer has to worry unduly about policies directed toward aiding economic growth. The rest of us, however, do have to live with the consequences of a stagnant economy and an eroding job market.

ONE SOMEWHAT UNTRADITIONAL AREA that Bok explores is psychology. Sleep disorders, depression, and chronic pain affect millions of Americans, and Bok thinks that a governmental focus on solving or at least ameliorating these problems would foster our collective well-being. With respect to sleep disorders, for example, he recommends an educational campaign to raise awareness, increased focus on the problem by medical schools, and more government funding for sleep research. For depression, he counsels, again, an awareness campaign, more focus by medical schools on the problem, and subsidies to encourage more psychiatric care and treatment. As for these subsidies, he does not say whence they should come,

but Uncle Sam would clearly be on the hook. Unfortunately, Bok does not explore how trillion-dollar deficits affect sleep and depression in parents and grandparents.

Though he grants that Americans tend to distrust their government and are cynical about its ability to solve problems, Bok thinks it possible to improve Washington. Among other recommendations, he suggests “sustained improvement in the quality of government officials.” But this is not an invitation to conservative reform, e.g., to increase accountability of elected officials. Instead, Bok draws from the Progressives: he wants to promote government expertise and isolate citizen input. He favors increasing our reliance on “independent” government agencies such as the Federal Election Commission and boosting public financing of political campaigns. Yet he refuses to explore the dreary historical record of such measures.

Still, he inadvertently advances an important argument. Increased wealth may not have brought about increased happiness, but neither has government spending, which increased tremendously over the past half-century. Perhaps a more interesting and balanced book would have explored how the American Founders might have viewed federal happiness crusades. Such a study might have fostered appreciation for their vision of protecting Americans’ freedom to pursue happiness—among their own families and communities, and through their own challenges and triumphs.

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Book Review by Mary Eberstadt

HEAR ME ROAR

When Everything Changed: The Amazing Journey of American Women from 1960 to the Present,
by Gail Collins. Little Brown and Company, 480 pages, \$27.99



THE GOOD NEWS IS THAT GAIL COLLINS'S popular history of modern American women is a surprisingly pleasant read—surprising, at least, to anyone expecting instead the reflexive ideological japery of the contemporary *New York Times*, where Ms. Collins served from 2001 to 2007 as the first female editorial-page editor, and where her columns have appeared regularly since. Mercifully, and unlike some of those columns, *When Everything Changed* is bouncy and sometimes even boosterish, its pages full of absorbing personal stories of women succeeding in one way or another from the '60s onward—that is to say, succeeding in the highly specific sense of making their way into the paid marketplace.

Given its sweep, its relative gentility of tone, and the feel-good way it tells plucky individual success stories from recent times, *When Everything Changed* plainly has “big commercial book” written all over it, a publishing judgment fully vindicated by the many positive reviews and notices it has garnered in all the best mainstream venues. None of which is to say that the book gets the big story of what has happened with American women right; it doesn't. But it is a work both interesting intrinsically, on account of the personal stories it tells, and also interesting inadvertently for what it reveals, however unknowingly, about the real social fault lines of our time.

Like the feminist movement itself, *When Everything Changed* is an offbeat, sometimes unintentionally droll mix of the high and low, celebrating all aspects of the commercial advance of American women during the last several decades—from the relatively straightforward right to equal pay for equal work, to the not-so-obvious importance of being called “women” instead of “girls,” say, or to the so-called rights of airline workers to get older and fatter without losing their jobs. The first Native American woman to serve as head of a tribe, the first female lobbyist for the Amalgamated Clothing Workers, the first half-Norwegian half-Eskimo lesbian who entered the military police (we think): say what you want about the ideological bean-counting on display here, the personal stories do make for fascinating reading.

Moreover, they are stories that Collins relates with an enthusiasm that is almost contagious, despite the outrageous, nay, flamboyant ideological bias she often indulges. Readers may be surprised to learn, for example, that apart from the indomitable Phyllis Schlafly and the easily mocked Sarah Palin, female conservatives have apparently not existed since 1960—which must be why Jeane Kirkpatrick, Clare Booth Luce, Ann Coulter, and a few thousand others don't appear in this very long book. Similarly, Collins does herself a favor—and her public a gross disservice—in not so much as mentioning

the name, let alone the formidable work, of the single most important and penetrating critic of the women's movement across all the decades covered by this book: Midge Decter.

Such annoying if unsurprising omissions aside, though, the larger problem is that the record of what has actually happened in America during the past 50 years, not only to women but to certain other human beings too, roundly contradicts all the happy talk. Moreover, it is a problem not merely for Collins's book, but for the feminist doctrine it obviously incarnates. After all, the same decades that witnessed the entry of so many women into fields once reserved for men played host to certain other trends: skyrocketing illegitimacy, divorce, and the other varieties of family breakdown. And those trends, as a veritable army of sociologists and other experts have been patiently documenting also for nearly 50 years now, have been deleterious to catastrophic—most notably from the point of view of certain other human beings who make almost no appearance in this nearly 500-page book about women: namely, children.

OF COURSE IT IS IMPOSSIBLE TO CLAIM that these two sets of events—the acceleration of family breakdown on the one hand, and the movement en masse out of the home and into the paid marketplace on the other—are unconnected. To her credit,

Collins doesn't even try. Her strategy instead is to focus on the happy tales of individual accomplishment, to the near-total exclusion of all else. The result is often jarring, as if someone had stretched a smiley Horatio Alger mask too tightly over a rough frowning visage that keeps poking through beneath.

Consider, for example, Collins's principled unconcern for the fact that so many children now grow up in a home without a biological father. "The world has seen a lot of different family models come and go over the centuries," she writes breezily, "and there is no real way to demonstrate that a nuclear family like Ozzie and Harriet's is better than a small interknit tribe or a vast extended family." Really? No way at all? Nearly 50 years after the Moynihan report, some people *still* haven't read it—to say nothing of the libraries of related evidence written after it. Is there a moratorium on invincible ignorance?

Collins does note at least the incontrovertible fact that fatherless homes are more likely to be poor, limiting herself to the observation that it "really was not all that great for the children, who were far more likely than the offspring of two-adult families to be born poor, to be raised poor, and to grow up to be poor adults." (Note that politically correct deployment of "two-adult" rather than "two-parent," by the way.) True enough; but the focus on money and only money obscures what is most important about a child deprived of both parents—just how hard family break-up falls on the smallest and weakest shoulders. Never mind the dollar count. Don't children's feelings about what liberation has wrought have a claim to the public record, too?

THESE ARE JUST SOME OF THE QUESTIONS that Collins—like everyone else who toes the feminist party line—resolutely refuses to face about what really happened once American homes became emptier of adults than ever before. Such denial extends even into areas where it comes off as shockingly callous. Are today's young girls sexualized—in their clothes, their attitudes, their behavior—as never before?

Most people would say yes, and that there's cause for concern there; but not feminist Collins. Gloria Steinem, she reports, is "philosophical" on the subject of the sexualization of today's young girls; and besides, shrugs Collins, "There is never going to be a straight narrative when it comes to what women choose to wear and how they want to look."

The same deep need to see no evil about anything committed in the name of feminism reaches its sad nadir in Collins's telling of the story of Lori Piestewa, the first female soldier killed in Iraq, whose photo appears among those of 16 other supposed feminist poster women in the book's middle. A mother, Piestewa left be-

The feminist problem
that supposedly had
no name has always
had a name:
children.

hind a 5-year-old son and a 3-year-old daughter—no spouse or father mentioned, incidentally, only her parents. Yet in Collins's rendition, Piestewa's is not at all a cautionary tale about sending mothers into war, or a tragic case showing the limits of just how interchangeable men and women really are. She is instead, in a way that we evidently are meant to applaud, one more Norma Rae-style feminist heroine, a poster soldier for the long-wished full integration of women into the military.

And it is here that the Horatio Alger mask stretched across this book splits apart once and for all—over the desperate need to dragoon into the feminist cause even a dead single mother who in a better society *would not have been sent to war in the first place*. "I think people have come to the sensible conclusion," Collins approvingly quotes retired air force general Wilma Vaught

as observing, "that you can't say a woman's life is more valuable than a man's life." *Who* can't? From the point of view of those two children, no one's life was more valuable than their mother's. But in this book, as in our post-feminist world, the nonstop attention to grown women and what *they* want and need has long drowned those small voices out.

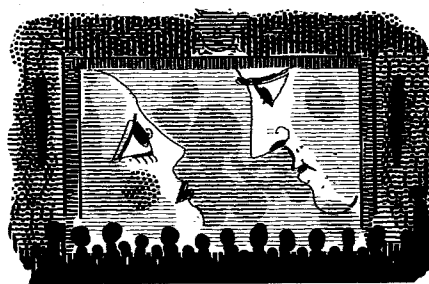
The feminist problem that supposedly had no name has always had a name: children. Women and children remain today as they have from the beginning of time—joined permanently at the root in a way that many Western women today want to deny. Collins, like other feminists, cites the women's movement itself as the fulcrum of the world wrought since 1960. But she and they are wrong. The women's movement was always a mere handmaiden to the real agent of social revolution: the Pill.

It was the Pill that simultaneously made it easier than ever before for women to behave like predatory men—and easier than ever before for predatory men to behave like themselves. Together, those men and their feminist women's auxiliary movement helped burn down many an American home. The sad truth beneath the happy stories of commercial success is that so many women, depriving themselves for generations now of the trials and consolations of family and home, have come to identify themselves first and foremost *as* women—rather than as wives, mothers, sisters, aunts, cousins, and the rest of the familial connections that have hitherto defined both women *and* men throughout human history. The way in which the sexual revolution changed that elemental vocabulary for many millions is the real story of how everything changed—and despite well-meaning but misguided tellings of the tale like this one, we are nowhere near fully understanding it yet.

Mary Eberstadt is a research fellow at the Hoover Institution, consulting editor to *Policy Review*, and contributing writer to *First Things*. Her latest book is the black comedy *The Loser Letters: A Comic Tale of Life, Death, and Atheism* (Ignatius Press).

SHADOW PLAY

by Martha Bayles



American Sex-ceptionalism

“LATER THAT NIGHT I GOT TO THINKING about safe sex. We talk about it as something physical. But what about the emotions? Is sex ever safe?” So writes Carrie Bradshaw, trendy newspaper columnist in *Sex and the City*. Played by Sarah Jessica Parker, Carrie is one of four single women in their thirties, living in affluent Manhattan, whose erotic lives are chronicled in the HBO television series (1998–2004) and two subsequent feature films (2008 and 2010).

Each episode in the TV series begins with a question, some more portentous than others. To the one about safe sex, the answer will depend on a conception of the good—or rather, goods—associated with sex. For most human beings, these are three: 1) pleasure, i.e., individual gratification; 2) commitment, that is, love and fidelity between partners; and 3) generativity, offspring, and concern for the next generation. Every society expects these purposes to conflict—because after all, Eros is a wayward god—and so tries to harmonize them.

Like the rest of the human race, Americans are inclined to pursue pleasure in youth, learn commitment in adulthood, and in maturity, accept the burdens and joys of generativity. When Americans find these transitions difficult, it's usually because we place such a high premium on individual freedom. But even when our lives don't play out as straightforwardly as 1 plus 2 equals 3, most of us still consider this equation the norm.

This fact is easily lost on the 95% of humanity who are not American. Indeed, foreigners tend to assume that American sexual norms are off the chart in one way or another. To Europeans, we are prudes; to many non-Westerners, we are rampant hedonists. When visiting the United States for the first time, foreigners often express surprise that Americans are so polite, religious, and (especially) family-oriented.

Asked to explain their surprise, they frequently cite contrary impressions received from our exported entertainment.

On a recent trip around the world I interviewed 133 informed individuals about the impact of American popular culture on their societies, and no topic arose more frequently than *Sex and the City*. For example, in Dubai I was

the City convey about American life? Is it positive or negative, accurate or inaccurate?

Sex and Sisterhood

AT FIRST GLANCE, *SEX AND THE CITY* seems simply to fuel the stereotype of Americans as hedonists who value sexual pleasure above all other goods. The key figure here is Samantha (Kim Cattrall), the oldest of the four friends and the best at beating the predatory male at his own game. Mistress of the ogle, the come-on, the butt pinch, and the one-night stand, Samantha's shamelessness is amusing at first but grows wearisome over time. By the 2010 film, her golden-haired cougar act seems sad and unfunny.

Yet Samantha's outrageous vulgarity is not the whole picture. The first thing a liberated European would notice is the presence of bras and other undergarments in many of the bedroom scenes, reflecting a vestigial concern for decency in either the actresses' contracts or HBO's upper management.

More important, Samantha's antics serve as a foil to her three friends, who like most human beings, hope to combine pleasure with commitment. Torn between the elusive Mr. Big (Chris Noth) and the intrusive Aidan (John Corbett), Carrie fears monogamy but also yearns for it. Jealous of her independence, lawyer Miranda (Cynthia Nixon) frets about growing old alone. And prim art dealer Charlotte (Kristin Davis) will do almost anything to realize her dream of a proper upper-middle-class marriage.

It's worth noting that the HBO series bears scant resemblance to its source, the *New York Observer* column written by Candace Bushnell and focusing on the directionless lives of spoiled Manhattanites too jaded to pursue any good, sexual or otherwise. Perhaps judging that a TV show about such people would not

Sex and the City,
created by Darren Star.
HBO.

Sex and the City,
directed by Michael Patrick King.
Screenplay by Michael Patrick King.
New Line Cinema.

Sex and the City 2,
directed by Michael Patrick King.
Screenplay by Michael Patrick King.
Warner Bros.

told by an Arab media executive that watching the series has a “status aspect to it. It means you are educated, tolerant, liberal.” Yet, he added, “Arab viewers have a mixed bag of reactions to *Sex and the City*. In Saudi Arabia, a lot of people watch it but don't like to talk about it.”

In China, *Sex and the City* is officially banned, but pirated copies are widely available, and a professor of communications informed me that many Chinese consider the show “educational.” And therapeutic—a Chinese media executive told me that “a great many Chinese people have problems with sex and there is very little psychiatry, so some turn to *Sex and the City* for help.”

Should we be pleased or dismayed by these comments? What sort of message does *Sex and*

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be a hit, the creators of the HBO series made their characters saner and more likable than Bushnell's. Yet Carrie and her friends are not quite sane and likable enough to form lasting relationships with members of the opposite sex. Why is that?

For reply, let us recap American cultural history since the 1960s. First came the sexual revolution, fueled by contraception and the counterculture. Next came radical feminism, pronouncing all heterosexual relationships, including marriage, oppressive to women. Then came the conservative backlash, calling for a return to traditional morality. In the early 1980s, conservatives opposed to pornography joined forces with anti-porn feminists, but the alliance didn't last; and ten years later a new wave of "pro-sex" feminists was defending porn and prostitution, on the ground that "sex work" can be empowering as long as women are in charge.

Hence the underlying logic of *Sex and the City*: people should be free to have all the sex they want, but for women, heterosexual relationships are fraught with danger. And the greatest of these dangers is traditional morality, condemned out of hand as anti-sex and anti-female. Therefore, the woman who values her freedom is advised to pursue pleasure with men and commitment with female friends. To its credit, the HBO series plays out this logic in ways that are smart, witty, and at times quite affecting.

Of special note is the four-way friendship between Carrie, Samantha, Miranda, and Charlotte. Female friendship is hardly a staple of American popular culture, most of which is oriented toward the tastes and proclivities of adolescent males. Nor is it present in Bushnell's columns, which reflect a milieu bereft of the virtues required for sustained human connection. Yet ask regular fans what they value most about *Sex and the City*, and they will likely mention the loyalty, constancy, and honesty of this foursome.

Cultural Exports

BUT THESE VIRTUES ARE SELDOM, IF EVER, extended to any larger sphere. One of the curious things about this TV series full of New York eye candy is its studied avoidance of the momentous event that occurred midway through its six-year production run. Watch carefully during season four, and you will see subtle references to 9/11, such as the editing of a Twin Towers shot from the opening credits, an uptick in heartfelt tributes to Manhattan, and a tender closeup of a snow-globe enclosing a little plastic replica of the pre-attack skyline.

The decision to avoid 9/11 was certainly in keeping with the show's blithe indifference to everything outside the characters' sex lives. It

was also a shrewd market calculation, because as mentioned above, *Sex and the City* remains a viable property throughout the globe. For example, in the first two months since its release in May, the film *Sex and the City 2* grossed over \$280 million, \$186 million of it overseas. It is not uncommon these days for a Hollywood film to earn more overseas than at home. But these figures should remind Americans how powerfully our cultural exports shape foreign opinion about what kind of human beings we are.

Mindful of this, the critics squirmed with embarrassment at *Sex and the City 2*, which begins with an extravagant gay wedding (in New York) and continues with an even more extravagant junket to Abu Dhabi for Carrie and her friends, now in their forties. Along with the film's over-the-top consumerism, the critics focused—or rather, tried to focus—on the mind-boggling spectacle of Samantha flamboyantly pursuing her next orgasm in the United Arab Emirates, a country where women (and men) dress and behave with extreme modesty.

The UAE is not Saudi Arabia. Emirati women drive their own cars and typically dress in a flowing black abaya and loose hijab, not the face-covering niqab shown in the film. They also attend university, pursue business and professional careers, and (in the privacy of their homes) enjoy all the consumer goods Americans enjoy. If the filmmakers understood this, they didn't let their understanding interfere with their depiction of Abu Dhabi as an exotic pipe dream of a place that (in Samantha's words) "is so cutting edge in many ways, but so backward about sex."

The assumption here is that Americans are not backward about sex. But what does that mean? One annoying sentiment expressed throughout *Sex and the City* is admiration for Samantha's ability to "put her sexuality out there." Since the series ended in 2004, American audiences have shifted their attention away from well produced TV series and toward online porn and tacky reality shows such as *Jersey Shore* (MTV) and *The Real Housewives of Orange County* (Bravo). Some of the most telling scenes in *Sex and the City* are those in which Samantha is shocked by the crude antics of no-class hotties in their teens and twenties. But what are they doing, if not putting their sexuality out there?

Friends without Families

THERE'S NO DENYING THAT *SEX AND THE CITY* fascinates millions of people around the world. But it also repels them, because despite its many charms, it reduces American sexual mores to a truncated caricature. In particular, it makes Americans appear alien, even grotesque, in our apparent refusal to acknowl-



edge what for most people is the most important sexual good: not pleasure or even commitment, but generativity.

Sex and the City is strangely hostile to procreation. Of the four main characters, only Charlotte expresses a desire for children; the other three detest baby showers and shudder at the thought of what motherhood would do to their figures and sex lives. When Miranda gets pregnant by her ex-boyfriend Steve, her decision to have the child is hedged about with defenses against his attempts to play a husbandly role. By the end of the series she has become a loving mother, and she and Steve marry. But to judge by the two subsequent films, their happiness is far from assured.

This hostility to generativity is underscored by the truly stunning absence of parents, siblings, or other relatives from these characters' lives. Most glaringly, Carrie seems to have sprung from the pavement of East 73rd Street, like Athena from the head of Zeus. There's one brief mention, in season five, of her father having abandoned the family when she was small. But otherwise, none of these characters has a father worth mentioning, much less bringing on-screen. At one point we glimpse Aidan's father and mother through the window of a diner, but the scene is cut before they can utter a word.

As for mothers, the few who have speaking parts are domineering haridans, like Charlotte's mother-in-law, a Park Avenue matron who effectively castrates her son. Of the four, Charlotte is by far the most devoted to family, as is her second husband, Harry. Yet we never catch more than a glimpse of the parents who presumably helped to instill that devotion. And

while Carrie drops that lone hint about resenting her father's abandonment, she commits her own long-term abandonment by never once mentioning her mother.

It is, of course, true that single Manhattanites often come from other places and have little daily contact with their families. But *Sex and the City* turns normal distance into estrangement, even at funerals and weddings. Early in the series, Miranda says, "My family lives in Philadelphia and I don't like them." When her mother dies, Miranda's grief seems mainly directed at her family for rejecting her as "a single woman in my thirties." The pastor mischaracterizes her as a sister-in-law, and the only person willing to escort her from the church is her friend Carrie.

Perhaps this strikes a chord in societies where women are supposed to be married by a certain age. But the idea of a well-to-do Philadelphia family shunning a daughter because she has become a successful lawyer instead of a wife is absurd. Every time *Sex and the City* sounds this note of exclusion, even shame, at being single, it rings false. Why, then, is the note sounded so often? Why is being single held up as the main reason why these otherwise appealing characters have so little to do with their families?

Gay Liberation

THE EXPLANATION EMERGES WHEN WE consider that single women and straight men are not the only focus of *Sex and the City*. Both of the show's masterminds, Darren Star and Michael Patrick King, are gay. And although the gay liberation movement of the last

40 years has followed a different trajectory from feminism, many gay men have ended up living by the same logic: sex is good, traditional morality bad, and the only people you can trust are your friends. Thus, Carrie's homosexual pal Stanford (Willie Garson) longs for a steady boyfriend but in the meantime cruises the bars while relying on Carrie for emotional support.

Stanford eventually finds happiness with the sardonic Anthony (Mario Cantone), and at their wedding (the extravagant one in the 2010 film), Anthony's elderly parents are shown affectionately toasting the grooms. What's remarkable about this scene is not that it occurs at a gay wedding but that nothing like it occurs at any of the straight ones. There are four heterosexual weddings in *Sex and the City*: two for Charlotte and one each for Miranda and Carrie (the 2008 film ends with her finally tying the knot with Big). But in none of these are the parents of the happy couple given an appropriate role.

This is what I mean by caricature.

By the same token, the awkwardness suffered by Miranda at her mother's funeral would ring truer if, instead of being single, she were a lesbian. Indeed, the estrangement from family felt by all of these characters is best explained as a transposition, onto straight characters, of a gay sensibility that takes familial estrangement as a given until proven otherwise. It is not my intention to belittle the pain of homosexuals who feel excluded from the rituals of the dominant society. But their pain is not the same as that of unmarried women, and the price of equating them, at home but especially abroad, is high.



PARTHIAN SHOT

by Mark Helprin



Hollow Talk in the South China Sea

LURKING ABOUT THE PRESIDENCY IN THE GUISE OF SECRETARY OF STATE, America's chief diplomat has embarked upon a mistake that someday may rival Dean Acheson's exclusion of Korea from the Pacific defense area, or April Glaspie's muddled words to Saddam Hussein (which suggested the U.S. would countenance Iraq's 1990 invasion of Kuwait). At a regional meeting in Hanoi in late July, Hillary Clinton unveiled an initiative, the subtext of which is an attempt to forge a defensive alliance along the maritime perimeter, with nations such as Vietnam and the Philippines. Like her predecessor Acheson, Mrs. Clinton seems averse or blind to military analysis. Her inevitably stillborn South China Sea initiative is showy diplomacy that may lead either to a military clash with China or, more likely, a ratification of China's aims as the United States lets its implied guarantees die on the vine.

China's assertions in regard to the potentially oil rich and strategically important South China Sea are patently absurd. Based upon the questionable ownership of uninhabited rocks and shoals, some of which do not rise above water and others roughly the size of a Volkswagen, it claims an area almost as large as the Caribbean Basin and as far as 1,800 miles from its nearest shoreline.

By linking America's national interests to those of the coastal states thus insulted, the secretary's recent comments are commendable but insufficiently backed. China above all is sensitive to "paper-tigerism" and ready to challenge it, especially in regard to its essential interests and where the balance of applicable power is swinging in its favor. A naval battle in which China has the upper hand? Do we not have the most powerful military in the world?

We do, but strategic appraisal must not be one-dimensional. Although decisive to some, that this country spends more on defense than the next X countries combined is irrelevant to things such as the scope of its commitments, personnel costs, the willingness or reticence of allies, purchasing power parity; force structure, asymmetrical advantage and disadvantage, domestic politics, strategic genius, its absence, and many other factors including not least geography.

China fought us to a draw in Korea more than half a century ago. In Vietnam we stayed our hand for fear of drawing it into the battle, when its primitive navy was not even a tenth the size of ours, it had no nuclear weapons that could threaten us, and the Western Pacific was an American lake with a necklace of massive military installations now largely abandoned and an alliance structure we are at present trying to rebuild with words. Whittled down by successive administrations, the big stick now turns on the Obama lathe, pressed against the Gates knife. If present trends merely continue, in five or ten years, when the U.S. will have to decide whether to challenge China's claims or acquiesce, the correlation of forces will have shifted much more to China's advantage.

Though China hungers for the oil in these waters that break upon its coast and have long been the subject of its perfervid declarations and domestic propaganda as a kind of oceanic Tibet, it is hardly likely that an American president in his right mind would go to the brink in the South China Sea. In 1996, during the Taiwan crisis, Secretary Clinton's husband cautiously

or timidly kept naval forces east of Taiwan, as at China's behest President Obama keeps a carrier strike group out of the Yellow Sea despite the North Korean provocation there.

China's chief advantage in the South China Sea is the force-multiplying proximity of its land-based air and naval power. Without fully developed expeditionary rights and facilities in surrounding states to negate this (i.e. the '60s redux), the U.S. would be forced to strike airfields and ports in China itself, meaning full-scale war. The alternative would be a war of attrition against swarms of China's planes and submarines.

WITH NO NAVAL OR AIR FORCES TO SPEAK OF, AND IN FEAR OF CHINA'S reprisals, our putative allies in the area might be reluctant to host land-based American aircraft. We would have to risk dispatching the bulk of our shrinking carrier fleet for the sake of deploying at most 350 fighter and attack planes against four or five times that number (by then including China's 5th-generation equivalent to our F-22 that we just nipped in the bud) rising from the giant, unsinkable aircraft carrier that is China itself. American hunter-killer submarines can decimate the Chinese submarine fleet, but by no means necessarily before—in conjunction with air and surface assaults, and terminally guided ballistic missiles—it can sink American carriers.

Distances and resupply are decisive. The Paracel Islands, a likely flash point, are 14,000 miles from Norfolk; 8,000 from San Diego; 6,000 from Pearl Harbor; and 2,300 from Guam; but only 200 from the Chinese base at Yu-Lin. China's Guangzhou military region is rich in dispersed bases that if they are vulnerable to attack are no more so than our far fewer and more remote bases in the Western Pacific. China's nuclear deterrent even now makes nuclear weapons immaterial to such a confrontation, no matter which way it goes. And if the United States, suffering losses such as have not been sustained since World War II, was seeming to prevail, the mystery—for some—of China's indulgence toward super-reckless North Korea would come clear as the North invaded the South and, with little in reserve, we turned impotently to the fate of millions of Koreans and the 27,000 American soldiers in their midst.

As Chinese naval, air, and nuclear power rapidly grows and ours diminishes, the Secretary Clinton's recent opening is an invitation to China to gamble on odds moving in its favor. Although the U.S. military has come up with an elegant, workable strategy to counter this dynamic, it cannot succeed if the shrinkage of aircraft and ship numbers, ballistic missile defenses, foreign basing, flying hours, anti-submarine warfare, and the defense industrial sector continues apace.

We must not retreat from making demands that are reasonable and just, but we must be properly equipped to see them through. Diplomats should know this, and that in the relations between rival states little is more dangerous than hollow talk, except perhaps hollow talk that in the uninformed imagination of the speaker appears rock solid.

An earlier version of this essay appeared in the Wall Street Journal.

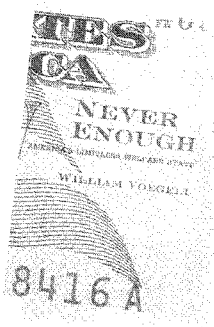
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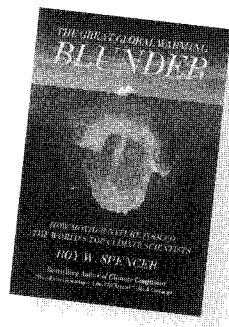
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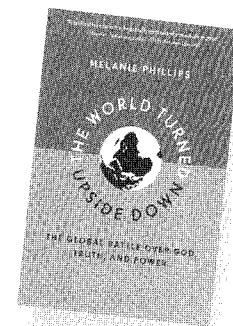
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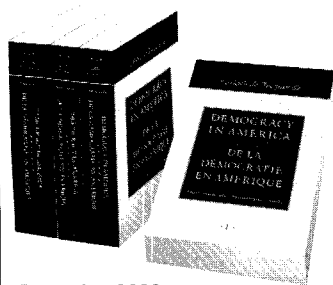
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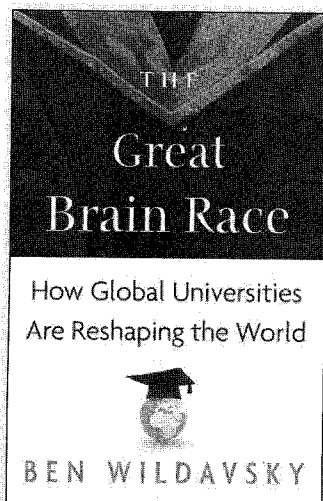
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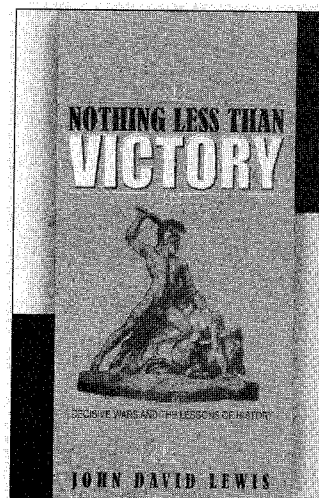
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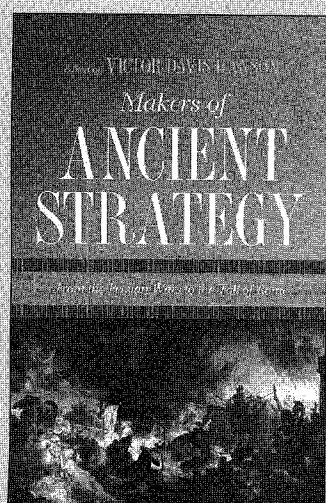
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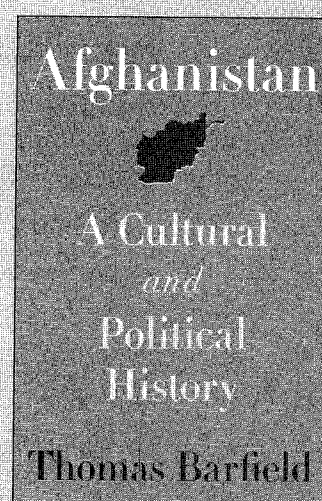
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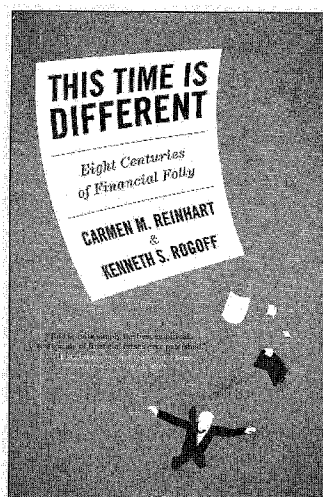
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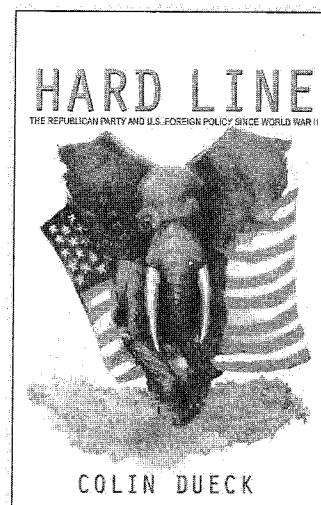
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